



# McKinney-Vento Program Handbook



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*\*Portions of this handbook were adopted from the OCPS Homeless Program and the Title I Homeless Program St. Paul, MN*

***The McKinney-Vento Program promotes school stability and academic success of children and youth experiencing homelessness.***

## **What Do We Do?**

### **Services We Provide:**

- Assistance with Jackson Public Schools enrollment and registration process
- Technical assistance to schools, shelters and parents regarding any issues involving children and youth experiencing homelessness
- Assistance to obtain transportation to the child's school of origin when possible
- Assistance with school supplies, school uniforms and other resources needed for school
- Assistance with fees related to the full participation of school and school activities (i.e. field trips, graduation)
- Transportation assistance to promote parental involvement
- Referrals to community resources that include medical, food, housing, mental health and others
- Referrals to other Jackson Public Schools programs and departments
- Evening academic services in shelters for school-age children
- Distribution of donated materials

## Who Are We?

### The Roles of the McKinney-Vento Program Staff

The Jackson Public Schools **McKinney-Vento Liaison** is responsible for ensuring the identification, school enrollment, attendance, and opportunities for academic success of students in homeless situations. Some of these activities may be performed by the JPS McKinney-Vento Liaison while others are accomplished by coordinating the efforts of other staff, departments and or community organizations.

### The McKinney-Vento Liaison must ensure that:

- Children and youth in homeless situations are identified by school personnel and Enrollment Services through coordination activities with other entities and agencies.
- Students experiencing homelessness enroll, and have full and equal opportunity to succeed, in school.
- Families, children, and youth experiencing homelessness receive educational services for which they are eligible, including Head Start and Pre-K programs provided by Jackson Public Schools; and referrals to health, mental health, dental, and other appropriate services.
- Public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services.
- Parents or guardians of students experiencing homelessness are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
- Enrollment disputes are mediated in accordance with the Enrollment Disputes section of the McKinney-Vento Act.
- Parents, guardians and unaccompanied youth experiencing homelessness are fully informed of all transportation services provided under the McKinney-Vento Act, including transportation to the school of origin, and are assisted in accessing these services.
- Assist homeless children and youth who do not have immunization or medical records to obtain such records.

## **Roles of the Staff - continued**

### **JPS McKinney-Vento Liaison must:**

- Help unaccompanied youth choose and enroll in a school, after considering the youths' wishes, and provide youth with notice of their right to appeal an enrollment decision that is contrary to their wishes.
- Ensure that unaccompanied youth are enrolled in school immediately pending the resolution of any dispute that may arise over school enrollment or placement.
- Collaborate and coordinate with State Coordinators for Homeless Education and community and school personnel responsible for the provision of education and related services to children and youth in homeless situations.
- State coordinators and LEAs must educate school personnel, service providers, and advocates who work with families in homeless situations about the duties of the local homeless education liaison.

## **Who Qualifies for Services?**

### **Eligibility and Rights of Homeless Children**

Under McKinney-Vento legislation, homeless children and youth are individuals who lack a fixed, regular and adequate nighttime residence and includes:

- Children and youth sharing the housing of other persons due to loss of housing (doubled up), economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds; are living in emergency or transitional shelters, are abandoned in hospitals or are awaiting foster care placement
- Children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and
- Migratory children to include immigrant children who qualify as homeless because they are living in circumstances described above.

## What are the rights of students experiencing homelessness?

### **Students in Homeless Situations Have the Right to:**

- Go to school, no matter where they live or how long they have lived there.
- Continue in the school they attended before they became homeless
- Receive transportation to the school they attended before their family became homeless, if possible
- Receive the same programs and services that are provided to all other children
- Automatically qualify for free breakfast and lunch
- Enroll in a new school without immunization, proof of residential status, school records, proof of guardianship or other documents.
- Go to school with children who are not homeless
- Receive information and referrals to health, mental health, dental and other services.
- Have disagreements settled quickly and go to school while disagreements are settled.

## Policies and Procedures

### Disputes

Varying interpretations of homelessness, school placement and Mississippi residence laws have led to confusion and in certain instances have prevented homeless students from enrolling in and attending school. Students experiencing homelessness have the right to attend either their “school of origin” (i.e. the school that the student attended when permanently housed or the school in which the student was last enrolled) or, if that is not in the student’s best interest (taking into account feasibility and the wishes of the parent/guardian or unaccompanied youth), 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.**

Please refer to page 22 for complete Dispute Policy.

### Preschool

Preschool education is a very important element of later academic success. Children experiencing homelessness have experienced many difficulties accessing preschool opportunities. To facilitate preschool enrollment and attendance, the provisions of this policy will apply to preschools. Our district will ensure that children experiencing homelessness receive priority enrollment in preschool programs operated by the district, including exempting homeless children from waiting lists.

**Laws Implemented** 42 U.S.C 11431-11435

# Policies and Procedures

## Homeless Education Procedures

The McKinney-Vento Act protects the rights of homeless children and youth for the **duration** of their homelessness. This means students have access to all rights and services from school year to school year if their living circumstance meets the definition of “homeless.”

Once a Jackson Public Schools student has been identified as experiencing homelessness, he/she has access to services for one academic school year. If students experience homelessness beyond one academic school year, all services are still accessible to these students, although there are a few steps to take. Students must be re-identified and coded in SAM. Once that has been done, procedures provided in this manual to access transportation, free lunch and additional services must be repeated.

If a student is identified as experiencing homelessness and becomes permanently housed **during** the school year, all rights and services remain for the full academic year. This includes the right to remain at the school or origin, request transportation, free meals, etc. Parents may choose to enroll their child in the zoned school for their new residence although decision making should be based on the best interest of the student.

The **following school year** in which a student is permanently housed, students no longer meet the definition of “homeless” and must enroll in the zoned school for their permanent residence.



# Policies and Procedures

## Identification Procedures

The Jackson Public Schools McKinney-Vento Program has implemented a ***Student Residency Questionnaire*** to assist in the identification of homeless children and youth. These questionnaires are printed by the McKinney-Vento Program and distributed to all schools with free/reduced lunch forms. These questionnaires are to be distributed to all students in the first days of school. Additional copies must be maintained in each school's enrollment packet for those students enrolling into school throughout the year.

**School-based Homeless Education Coordinators**, should maintain a file of all residency questionnaires that indicate homelessness. Do not maintain questionnaires in the student cumulative folder.

For the most up-to-date Student Residency Questionnaire and procedures, please contact the JPS McKinney-Vento Liaison.

## Enrollment and Coding Procedures

The McKinney-Vento Act ensures the **immediate enrollment** of children and youth experiencing homelessness even if the students lack records (academic, medical, proof of residency or other documentation). Immediate enrollment includes attending classes and fully participating in school activities. All schools are required to follow these enrollment guidelines when registering a homeless student in school.

The Jackson Public Schools McKinney-Vento Liaison may assist with referrals and/or transportation so families may obtain needed documentation. Upon enrollment and/or identification of an existing student experiencing homelessness, coding must take place on SAM. This allows for accurate reporting and is vital to services such as free lunch and transportation.

The Homeless field in SAM is found in the Student Folder, At-Risk Tab. For up-to-date coding information and assistance, please contact the McKinney-Vento District Liaison. All coding is "wiped" at the end of each school year. Homelessness must then be re-identified and coded appropriately for the new school year.

## Free Meal Procedures

Students attending Jackson Public Schools receive breakfast and lunch meals at no cost as part of the Community Eligibility Program (CEP). The CEP allows schools that predominantly serve low-income children to offer nutritious school meals at no cost to students through the National School Lunch and School Breakfast Programs.

Please be reminded to notify Child and Nutrition services when new students enroll to ensure the students are accounted for in their system.

## Transportation Procedures

Working to keep students experiencing homelessness in school is a key component of the McKinney-Vento Program. The district provides transportation to and from the school of origin, at the parent or guardian's request whenever possible. All transportation is provided through the district's transportation department.

If a student that is experiencing homelessness requests transportation back to their school of origin (**over 2 miles**), it is important to follow these steps:

1. Make sure the current address and phone number is reflected in SAM.
2. Ensure the student is coded in the At-Risk tab, "Homeless" field in SAM.
3. Fill out a **PALS Request for Transportation** worksheet that includes the current address and phone number for the student.
4. Email the completed transportation worksheet to the McKinney-Vento Liaison. The McKinney-Vento Liaison will contact Transportation to begin the routing process.
5. Contact the homeless education liaisons for bus passes, or gas reimbursement is needed for the temporary period of time it takes to establish a district bus.

The parent will be contacted by the McKinney-Vento Liaison and or Transportation once a route is established.

The current **PALS Request for Transportation** worksheet may be found on the McKinney-Vento website.

## School MVP Coordinator

### Procedures/ Responsibilities

- Serve as a point of contact for district McKinney-Vento Liaison
- Serve as a point of contact for school staff and parents regarding homeless issues
- Post given materials (posters) at your school and ensure given brochures are available in your school's front office.
- Keep a file/list of current, students identified experiencing homelessness available at all times. This should include all residency questionnaires that indicate homelessness. This information will be reported to the District's McKinney-Vento Liaison twice a year.
- Design a procedure for your registrar/teachers to keep you informed of any student that becomes homeless during the year.
- Coordinate services for the identified homeless children and youth at your school. You will need to work directly with your registrar, guidance counselor, administration, classroom teacher, district liaisons and/or anyone else appropriate.
- Bring awareness of the growing population to your school staff and educate them on the rights of homeless children and youth. You may do this by disseminating information and materials provided by the district office, or you may conduct your own awareness activity ensuring confidentiality of students.
- Contact the McKinney-Vento district office with any questions or concerns involving homeless children and youth.

### Service Request Procedures

The Jackson Public Schools McKinney-Vento Program has grant funding to help meet the educational needs of homeless children and youth. If items or funding is needed to assist students in participating fully in school or school activities, these procedures need to be followed:

1. Make sure the student is coded appropriately as "Homeless" in SAM.
2. Download a copy of the most current **Service Request Form**, located on the McKinney-Vento Homeless Education website.
3. Complete the form and attach any required documents (i.e. field trip flyer, product quote)
4. Obtain the school principal's signature.
5. Scan all documents and forward them to the district's McKinney-Vento Liaison

Some items may be available on-hand, stored by the district liaisons. Some requests may require a purchase. You must receive approval and directions **prior** to purchasing.

## Tips for School Social Workers and Counselors

### Immediate Assistance

- Be familiar with the McKinney-Vento Act.
- Recognize the common characteristics of children experiencing homelessness.
- Possible signs of homelessness may include: a history of attending many schools, erratic attendance and tardiness, consistent lack of preparation for class, sleeping in class, hostility and anger or extremes in behavior [shyness, withdrawal, nervousness, depression], needy behavior (attention-seeking) or withdrawn behavior, poor hygiene and grooming, inadequate or inappropriate clothing for the weather, hunger and/or hoarding food, resistance to parting with personal possessions (i.e., not wanting to put coat in a locker). These signs could indicate other problems. It is worth further exploration and discussion.
- If you are your school's homeless coordinator, ensure students receive free meals without the necessity of additional paperwork.
- Work with breakfast program staff to ensure that children who arrive late to school (due to transportation route) get fed.
- Ensure that homeless students are afforded every opportunity that non-homeless students have.
- Assist in the waiving of fees or securing of materials necessary for activities.
- With the parent/guardian's permission, talk to the student's teachers to inform them of the current living situation and how this may affect the student's ability to perform academically. For example, the student may not have access to the necessary materials to complete assignments such as a computer.
- Advocate for alternative consequences for poor behavior (i.e., don't withhold recess because it may be the only time the children who are homeless get to play and/or play outdoors
- Assist student getting the correct bus when it is first set up.

## Tips for Teachers of Students Experiencing Homelessness

The child's classroom may be the only place where the child can experience quiet, interact with students his/her own age, and experience success. School is the most *normal* activity that most children experience collectively... For homeless children it is much more than a learning environment. It is a place of safety, personal space, friendships, and support. Oakley & King, in *Promising Practices For Educating Homeless Students* by Stronge & Reed-Victor, 2000

- Connect with your school's homeless coordinator to understand the student's situation.
- Maintain homework/school supply kits. The Homeless Education Liaisons have backpacks and basic school supplies. If you use additional supplies, have some available for homeless students or contact the liaisons to make a special request.
- Use tutors/mentors to provide one-on-one support.
- Plan accommodations for homework. Students may not have access to computers, encyclopedias and other tools to complete assignments.
- For students with attendance concerns, connect with your school's homeless coordinator. This child may qualify for district-provided transportation.

## Tips for Enrollment Personnel

You are the first contact the family may have with Jackson Public Schools. Be sensitive, patient, calm and reassuring. Provide the student and family with confidentiality; take them to a private room to address questions. Have the parent fill out a ***Student Residency Questionnaire*** to identify homelessness.

Learn to identify possible signs of homelessness:

- Chronic hunger or tiredness
- Erratic attendance in schools
- Attendance in multiple schools
- Poor grooming or clothing that draws attention
- Lack of records, such as birth certificate, immunization record, pre-school physical, or incomplete records.
- Parent who seems confused when asked about the last school attended.
- Low income hotel address on enrollment form
- Statements from family such as “We’ve been having a hard time lately.” “It’s a new address, I can’t remember it.” “We move a lot and are staying with friends until we can find a place.”

Assure families that children can enroll if they are in “housing transition” due to loss of housing, economic hardship or similar reason. Enroll the child immediately (even without records).

## Tips for School Administrators

- Be familiar with common characteristics of children and youth who are homeless.
- Welcome the student and the family and let them know that the school is a safe and secure place.
- Ensure there is a process to immediately notify the school's Food Services department of new student enrollment.
- Ensure that the student has every opportunity that a non-homeless student has for participation in after-school activities and in-school programs.
- Inform parents about their child's educational rights.
- Know your attendance zone, visit shelters to make contact with the shelter director, and reinforce that students will find the school safe and supportive.
- Secure city bus tokens or other transportation assistance to get parents to school for conferences, school events, or PTA meetings.
- Encourage parents to volunteer. Discuss their interests and offer suggestions that allow them to use their expertise. Many parents will help if invited to do so.
- Support the school staff as they work with the student.
- Contact the school district's McKinney-Vento liaison for additional support.

## Facts about Homelessness

- Families with young children are the fastest growing homeless population.
- No single factor causes homelessness.
- Abuse, chronic neglect, the death of a parent, or economic crisis are factors commonly reported as precursors to homelessness.
- Lack of a livable wage and a shortage of affordable housing are the primary problems facing homeless families.
- The physical and emotional wellbeing of homeless children is compromised by homelessness and the poverty they experience.
- The primary causes of homelessness among unaccompanied youth are physical and sexual abuse by a parent or guardian, neglect, parental substance abuse, and extreme family conflict.



## Frequently Asked Questions

*Does the program find housing or rental/utility assistance for families?*

No. Liaisons assist in providing educational services for students experiencing homelessness. However, liaisons do make referrals to community agencies providing these types of services.

*Do students living in transitional shelters or scattered sites qualify for the program?*

Yes. The McKinney-Vento Act specifically applies to children and youth living in transitional living programs.

*If a child moves into permanent housing, do they qualify for services for the remainder of the school year?*

Yes.

*Can children experiencing homelessness get transportation if they are living outside of Jackson?*

Student experiencing homelessness residing out of district may request transportation back to their school of origin. Transportation will be provided if it is in the best interest of the child and feasible for the district.

*Are children experiencing homelessness exempt from providing immunization records for enrollment?*

Yes. Students experiencing homelessness are **not** required to produce immunization or other medical records to get enrolled in school and continue attending. After enrollment, contact the McKinney-Vento Liaison if assistance is needed to obtain documents.

*If a student is expelled from riding the bus, can they still receive transportation if they become homeless and reside out of district?*

In most cases, NO.

*What ages does the McKinney-Vento Act cover?*

21 and under. For special education students, federal law provides the right to access services until age 22.

## Frequently Asked Questions - continued

*Is there any procedure in place to prevent families who have permanent housing from claiming to be homeless just to obtain McKinney-Vento services?*

Yes. School districts must enroll students experiencing homelessness immediately. If, after enrollment, it is determined that a student is not experiencing homelessness as defined in the law, school districts should follow the policies that are in place to address other forms of fraud.

*If a student experiencing homelessness enrolls in a new school because the parent/guardian was not informed of the student's rights to remain at the school of origin, does the student still have the right to go back to their school of origin?*

Yes. School districts are required to inform families of their rights. Not knowing one's rights does not mean not having rights.

*How does the McKinney-Vento Act define "unaccompanied youth"?*

Unaccompanied youth is defined as a youth not in the physical custody of a parent or legal guardian. If their living circumstance meets the homeless definition, they have full access to services under McKinney-Vento.

*Can a school require a caregiver to get legal guardianship to enroll a student in school?*

No. The McKinney-Vento Act requires states to address the problem of guardianship issues in school enrollment and requires school districts to enroll youth experiencing homelessness in school immediately, even if they lack typically required enrollment documents. The decision to seek legal guardianship is a serious decision that significantly affects the legal rights of the parent and caregiver well beyond the school arena. While that step will be appropriate in school cases, it will not be in others.

A full list of ***Frequently Asked Questions on the Educational Rights of Children and Youth in Homeless Situations***, drafted by the National Association for the Education of Homeless Children and Youth and the National Law Center on Homelessness and Poverty, may be found on the OCPS Homeless Education website.

## LeTendre Scholarships

Children and youth in homeless situations face numerous barriers to educational success. Deep poverty, high mobility and school requirements often make attending and succeeding in school a challenge. Despite these challenges, many students who experience homelessness not only graduate from high school, but wish to pursue a college education.

### **What is the LeTendre Education Fund?**

Established in 1998 in memory of Andre E. LeTendre, husband of Mary LeTendre, former Director of Compensatory Education for the U.S. Department of Education, the LeTendre Education Fund provides scholarship assistance for students who are homeless or have experienced homelessness. For additional information on deadlines, selection criteria and application forms, please visit [www.naehcy.org](http://www.naehcy.org), or contact the National Association for the Education of Homeless Children and Youth (NAEHCY) at (202) 364-7392.

# JACKSON PUBLIC SCHOOLS – POLICY ON HOMELESSNESS

## EDUCATION FOR HOMELESS CHILDREN AND YOUTH

Homeless students in the district will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held. A liaison for students in homeless situations will be designated by the district to carry out duties as required by law.

The district will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A homeless student will be admitted to the district school in the attendance in which the student is actually living or to the student's school of origin as requested by the parent and in accordance with the student's best interest. Transportation will be provided to and from the student's school of origin at the request of the parent, or in the case of an unaccompanied student, the district's liaison for homeless students. If this is not feasible and the child must attend a school other than the school of origin, the district will coordinate with the other LEA to determine the best interest of the student. Parent will receive written explanation of the decision and notification of their right to appeal.

The superintendent or designee will produce written guidelines for distribution to each school that explains the rights of homeless students and the responsibilities of the schools to meet their needs and eliminate barriers to school attendance. This information shall also be disseminated in writing and by other means designed to raise awareness of these rights and responsibilities to staff, homeless families and students, the public, and homeless service providers.

## **DEFINITIONS**

For the purposes of this policy, children are deemed to be homeless under the following conditions:

1. A child who is lacking a fixed regular and adequate nighttime residence and who has a primary nighttime residence that is publicly or privately operated shelter designed to provide temporary living accommodations, a temporary residence prior to being placed in an institution, or a place not designed or ordinarily used as a regular sleeping accommodation for human beings.
2. A child who is living in a transition or emergency shelter.
3. A child who is temporarily living in a trailer park or camping area due to lack of adequate living accommodations.
4. A child who is living in doubled-up accommodations due to loss of housing or other similar situation.

5. A migratory child who is staying in accommodation not fit for human habitation.
6. A child who has run away from home and lives in a runaway shelter, abandoned building, the street or other inadequate accommodations.
7. A child who is placed in a state institution because s/he has no other place to live.
8. A child who has been abandoned by his/her family and is staying in a hospital.
9. A child whose parents or guardian will not permit him/her to live at home and who lives on the street, or other inadequate accommodations.
10. School-age unwed mothers or expectant mothers who are living in homes for unwed mothers because they have no other available living accommodation.

### **SERVICES TO BE PROVIDED**

1. Pursuant to and in compliance with the requirement of the McKinney-Vento Homeless Assistance Act, SEC.721. it shall be the policy of this school district, to the extent practicable under requirements relating to education established by state law, that each eligible child of a homeless individual and each eligible homeless youth will have access to a free appropriate education comparable to the education provided the children of district residents who are non-homeless; without isolation or stigma.
2. The placement of an eligible homeless child or youth will be made according to **Policy JCR**
3. Assignment of Pupils, and will take into consideration the best interests of the homeless child or youth and placement requests made by a parent.
4. The choice of placement in either the “school of origin” or the school serving the “place of abode” will take place regardless of whether the child or youth is living with the homeless parent(s) or has been temporarily placed elsewhere by the parent(s).
5. Provided the homeless child or youth meets eligibility criteria, he/she will be provided transportation services, compensatory education programs for the disadvantaged; educational programs for the handicapped and for students with limited English proficiency; programs in vocation education; programs for the gifted and talented; and school meals programs.
6. Any and all records ordinarily kept by this school district, including immunization records, academic records, birth certificates, guardianship records, evaluations for special services and programs shall be kept on homeless children and youth and shall be forwarded in a timely fashion should a child or youth enter a new school or school district and in a manner consistent with S123dg of Title 20.

7. Should this school district receive assistance under S11432 of the Act, it shall coordinate with local social service agencies and other agencies or programs providing services to such children or youth and their families.
8. Should this school district receive assistance under S11432 of the Act, it shall designate a homelessness liaison to insure that homeless children and youth enroll in and succeed in the schools of their district; and, homeless families, children and youth receive educational services for which they are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services.
9. The homelessness liaison shall inform school personnel, service providers and advocates working with homeless families of the duties of the liaison.
10. This school district has and will continue to review and revise, to the extent practicable under the requirements relating to children established by state law, any policies that may act as barriers to the enrollment of homeless children and youth in schools selected in accordance with paragraphs 2, 3 and 4 above.
11. In reviewing and revising such policies, to the extent practicable under the requirements relating to education established by state law, consideration shall be given to issue concerning transportation, requirements of immunization, residency, birth certificates, school records, or other documentation and guardianship.
12. Disputes which may arise regarding the assignment of a homeless child or youth will be promptly resolved according to the provision of **Policy JCR** Assignment of Pupils. Other issues or disputes will be directed to the attention of the school official responsible for that particular matter for prompt resolution. If this dispute cannot be resolved locally, any aggrieved party may make written request for a review of the matter to:

Coordinator of the Homeless Program  
Mississippi Department of Education  
P. O. Box 771  
Jackson, MS 39205

LEGAL REF: McKinney-Vento Homeless Education Assistance Improvements Act of 2001

**CROSS REF.: Policies**

Last Review Date: November 13, 2018

## Jackson Public Schools – Dispute Policy

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

**Policy:** 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. Homeless students have the right to attend either their “school of origin” (i.e. the school that the student attended when permanently housed or the school in which the student was last enrolled) or, if that is not in the student’s best interest (taking into account feasibility and the wishes of the parent/guardian or unaccompanied youth), 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 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 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.



# Jackson Public Schools

## Notice of Enrollment Decision/Appeal Rights

Date: \_\_\_\_\_

Name of Student(s): \_\_\_\_\_

Name of Parent/Guardian: \_\_\_\_\_

School: \_\_\_\_\_

School Homeless Liaison: \_\_\_\_\_

District McKinney-Vento 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: \_\_\_\_\_

District McKinney-Vento 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**.

# Mississippi Department of Education

## Chapter 40 McKinney-Vento Homeless Education Dispute Resolution Procedure

### *Rule 40.1 McKinney-Vento Homeless Education Dispute Resolution Procedure*

#### 1. INTRODUCTION

The *McKinney-Vento Homeless Assistance Act (Act)* acknowledges that disputes may arise

between a local educational agency (LEA) and the parent or guardian of a homeless child or youth, or unaccompanied youth, when the LEA seeks to place him or her in a school other than the school of origin or the one requested by the parent, guardian, or unaccompanied youth. Guidance regarding the definition of homeless, the responsibilities of the LEA in serving homeless children and youth, school selection, eligibility and enrollment is provided in the Act. The Act includes dispute resolution among the required duties of the LEA liaison and the State Educational Agency (SEA). The following procedures are specified in the Act:

- a. **Enrollment:** Immediately enroll the homeless child or youth in the school preferred by the parent, guardian or unaccompanied youth until the dispute is settled and all available appeals have been exhausted. The statutory definition of “enroll” includes attending classes and participating fully in school activities.
- b. **Written explanation:** Written explanations provided by the LEA shall be in a manner and form understandable to the parent, guardian, or unaccompanied youth of any decisions related to school selection, eligibility or enrollment made by the school or LEA, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions.
- c. **Parent/Guardian/Unaccompanied Youth Rights:** It is the responsibility of the LEA to inform the parent or guardian, or unaccompanied youth of the McKinney-Vento rights and the dispute resolution process.

While the dispute is being resolved, the child or children in question must be enrolled in school and receive all services for which they are eligible, including transportation services. If the dispute is concerning the school of “best interest,” the child must be enrolled in the school preferred by the parent/guardian or unaccompanied youth.

#### 2. ADMINISTRATIVE PROCEDURE

The Mississippi Department of Education (MDE), Office of Federal Programs, has adopted a dispute resolution process at the local and state levels. If a dispute arises regarding the eligibility, school selection, or school enrollment of a homeless child or youth, or unaccompanied youth, the following procedures are to be followed:

**Local Educational Agency Level:** If the LEA makes a determination regarding school

selection or enrollment that would result in the child or youth attending a school other than the one requested by the parent, guardian, or unaccompanied youth, a written explanation shall be provided in a manner and form understandable to the parent, guardian, or unaccompanied youth. The parent, guardian, or unaccompanied youth shall be informed of the right to appeal and the written decision shall include a statement of the right to appeal to the LEA superintendent. The dispute resolution process shall be initiated at the local level by the parent/guardian or unaccompanied youth who wishes to appeal the school district's decision. The LEAs shall develop written policies and procedures with timelines that govern the dispute resolution process and shall include, at a minimum, the following:

- a. Each LEA is required to have a designated McKinney-Vento liaison. In addition, each school should have a contact who has been trained on the McKinney-Vento Act.
- b. If the parent, guardian or unaccompanied youth disagrees with the LEA's decision and wishes to appeal to the LEA superintendent or his/her designee, the parent, guardian, or unaccompanied youth shall file a request for dispute resolution with the LEA liaison by completing a dispute resolution form or submitting a written request after receiving notification of the LEA's decision. The LEA superintendent's designee shall be someone other than the LEA liaison. The parent, guardian, or unaccompanied youth shall be
- c. informed of the right to appeal and the LEA superintendent's written decision shall include a statement of the right to appeal to the local school board of education.
- d. If the parent, guardian, or unaccompanied youth disagrees with the LEA superintendent's decision and wishes to appeal to the local board of education, the parent, guardian, or unaccompanied youth shall inform the LEA liaison of the intent to appeal. The LEA liaison shall ensure an appointment is made for the next, regularly scheduled board meeting to address the dispute. The LEA liaison shall also provide the parent, guardian, or unaccompanied youth with the documentation collected up to
- e. that point, including the parent, guardian or unaccompanied youth's request for dispute resolution, the LEA liaison's and local 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
- f. the local school board of education's written decision shall include a statement of the right to appeal to the MDE if aggrieved.

**State Educational Agency Level:** Appeals made to the MDE shall be submitted in writing, signed by the complainant, and forwarded by the LEA. 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 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*.

Visit the Mississippi Department of Education website, Office of Federal Programs, Title IX, Part A Education for the Homeless Children and Youth Program (McKinney-Vento) for more information.

Sources:

42 *U.S. Code* § 11432(g)(1)(C) (Rev. 2017);

42 *U.S. Code* § 11432(g)(3)(E)(i)-(iv) (Rev. 2017);

*Miss. Code Ann.* § 37-3-11(c) (Rev. 2017);

*Miss. Code Ann.* § 37-1-3 (Rev. 2017)

# McKinney-Vento Act