



## McKinney-Vento Dispute Resolution Policy

The McKinney-Vento Homeless Assistance Act (also referred to as the McKinney-Vento Act) acknowledges that disputes may arise between Public School Units (PSUs), students and their parents, or unaccompanied youth, regarding eligibility, school selection, or enrollment decisions. The McKinney-Vento Act includes dispute resolution among the required duties of the PSU homeless liaison. Below is the McKinney-Vento Dispute Resolution Policy and Process for Voyager Academy.

PSUs should bear in mind that disputes related to eligibility, school selection, or enrollment should be initiated at the request of the parent, legal guardian, or unaccompanied youth and not at the request or convenience of the PSU. Additionally, issues related to the definition of homelessness, the responsibilities of the PSU to serve homeless children and youth, and/or the explicit rights of homeless children and youth are addressed in the McKinney-Vento Act. Disputes related to eligibility, school selection, or enrollment shall be resolved within the parameters of the federal McKinney-Vento Act.

The following procedures are specified in the McKinney-Vento Act:

**Enrollment:** If a dispute arises over eligibility, school selection, or enrollment, the child shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute.

**Written Explanation:** The PSU must provide a written explanation of the eligibility, school selection, or enrollment decision to the parent, legal guardian, or in the case of an unaccompanied youth, to the unaccompanied youth. (The written explanation must include a description of the parent's, legal guardian's, or unaccompanied youth's right to appeal the decision.)

**Homeless Liaison:** The designated PSU homeless liaison is assigned to carry out the dispute resolution process in an expeditious manner, such that the local process is completed in **no more than 15-school business days or 30-calendar days, whichever is less.**

**Responsibility:** The PSU homeless liaison is responsible to inform the parent, legal guardian, or the unaccompanied youth of the dispute resolution process.

## **Background Information:**

If the School, homeless liaison, and/or parent/guardian/caregiver/unaccompanied youth disagree on McKinney-Vento eligibility, school selection, or enrollment, a process is in place to appeal the decision. Every state must establish procedures to promptly resolve disputes regarding the educational placement of students in housing transition.

Under the McKinney-Vento Homeless Education Assistance Act, a student experiencing housing transition has the right to attend either the school of origin, if this is in the student's best interest, or to attend the local attendance area school. *School of origin is defined as the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled. Local attendance area school is defined as any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.*

PSU homeless liaisons must ensure that the same access to the dispute resolution process is provided to unaccompanied youth.

## **INITIATION OF THE DISPUTE RESOLUTION PROCESS**

When a dispute occurs regarding eligibility, school selection, or enrollment the parent, legal guardian, or unaccompanied youth shall be informed in writing of the PSU's decision including reasons for the decision within one (1) school-business day in a language and format understandable to the parent, legal guardian or unaccompanied youth of their right to appeal the decision made by the charter school and be provided the following:

1. Written contact information for the PSU homeless liaison and State Coordinator, with a brief description of their roles.
2. A simple form that parent/guardian/caregiver/unaccompanied youth can complete and turn in to the school to initiate the dispute process (the school should copy the form and return the copy to the parent/guardian/caregiver/unaccompanied youth for their records when it is submitted.)
3. A written step-by-step description of how to dispute the PSU's decision.
4. Written notice of the right to enroll immediately in the school of choice pending resolution of the dispute.
5. Written notice of the right to appeal to the State Coordinator for the Education of Homeless Children and Youth if the district-level resolution is not satisfactory.
6. Written timelines for resolving district- and state-level appeals.
7. A copy of the NC Dispute Resolution Policy (hard copy or [online link](#)).

## **Dispute Resolution Process:**

- **Level I:** The initial dispute request is made with the PSU's homeless liaison. The dispute request can be verbal or written.
  - If verbal is preferred, the parent/guardian/caregiver/unaccompanied youth should contact Voyager Academy's Homeless Liaison, Dr. Monique Link, at 919-433-3301 X 146.
  - If written is preferred, the *Written Notice of Appeal* form should be completed. The *Written Notice of Appeal* form should be returned to Voyager Academy's Homeless Liaison, Dr. Monique Link, by email, or sent to the attention of Dr. Link at: [mlink@voyageracademy.net](mailto:mlink@voyageracademy.net).
  - The request for dispute resolution must be submitted by the parent/guardian/caregiver/unaccompanied youth to the homeless liaison within two (2) school-business days of receiving the initial homeless liaison decision on enrollment, school selection, or enrollment. The parent/guardian/caregiver/unaccompanied youth may initiate the request directly with the homeless liaison or they may initiate the request with the school where the dispute is taking place. If the request is submitted to the school where the dispute is taking place, the school shall immediately forward the request to the PSU's homeless liaison. In the event that the PSU's homeless liaison is unavailable, a PSU designee may receive the parent's/guardian's/caregiver's/unaccompanied youth's request to initiate the dispute resolution process.
  - The homeless liaison must log his/her receipt of the dispute, including the date and time, with a written description of the situation and the reason for the dispute, and a copy of the dispute must be forwarded to the homeless liaison's immediate supervisor and the Charter School's head administrator.
  - Within one (1) school-business day of their receipt of the complaint, the homeless liaison must make a decision on the dispute and inform the parent/guardian/caregiver/unaccompanied youth in writing of the result. It is the responsibility of the PSU to verify the parent's/guardian's/caregiver's/unaccompanied youth's receipt of the written notification regarding the homeless liaison's Level I decision.
  - If the parent/guardian/caregiver/unaccompanied youth disagrees with the decision made at Level I and wishes to move the dispute resolution process forward to Level II, the parent/guardian/caregiver/unaccompanied youth shall notify the PSU's homeless liaison of their intent to proceed to Level II within one (1) school-business day of receipt of notification of the Level I decision.
  - If the parent/guardian/caregiver/unaccompanied youth wishes to appeal the homeless liaison's Level I decision, the PSU's homeless liaison shall provide the parent/guardian/caregiver/unaccompanied youth with an appeals package containing:

§ A copy of the parent's/guardian's/caregiver's/unaccompanied youth's dispute which was filed with the PSU's homeless liaison at Level I;

§ The decision rendered at Level I by the PSU homeless liaison; and

§ Any additional information from the parent/guardian/caregiver/unaccompanied youth, and/or the homeless liaison.

- **Level II:** If unresolved, the dispute moves to the PSU's Managing Director (Level II).
  - o If there is a disagreement with the decision rendered by the PSU's homeless liaison at Level I, the parent/guardian/caregiver/unaccompanied youth may appeal the decision to Voyager Academy's Managing Director, or the head administrator designee, (the designee shall be someone other than the PSU's homeless liaison) using the appeals package provided at Level I.
  - o Voyager Academy's Managing Director, or the designee, shall meet (verbally, virtually, or face-to-face) with the parent/guardian/caregiver/unaccompanied youth. The meeting shall be held within two (2) school-business days of the parent's/guardian's/caregiver's/unaccompanied youth's notification to the PSU of their intent to proceed to Level II of the dispute resolution process.
    - § The Managing Director, or designee, shall inform the local governing Board of the dispute being raised to the current level, and of the potential for the dispute to be raised to the next level. The reason for this notification is solely for the local governing Board to be able to prepare for potentially being called/requested to convene to address the dispute, should it advance to the next level within the Dispute Resolution Process.
  - o Voyager Academy's Managing Director, or the designee, shall provide a decision in writing to the parent/guardian/caregiver/unaccompanied youth with supporting evidence and reasons, **within two (2) school-business days** of the Managing Director, or the designee's, meeting with the parent/guardian/caregiver/unaccompanied youth. It is the responsibility of the PSU to verify the parent's/guardian's/caregiver's/unaccompanied youth's receipt of the written notification regarding the Charter School's Managing Director's Level II decision.
  - o A copy of the dispute package, along with the written decision made at Level II is to be shared with the PSU's homeless liaison.

- o If the parent/guardian/caregiver/unaccompanied youth disagrees with the decision made at Level II and wishes to move the dispute resolution process forward to Level III, the parent/guardian/caregiver/unaccompanied youth shall notify the PSU's homeless liaison of their intent to proceed to Level III within two (2) school-business days of receipt of notification of the Level II decision.
- **Level III:** If the parent/guardian/caregiver/ unaccompanied youth disagrees with the Managing Director's decision, the dispute moves to the local governing Board (Level III) for review and final decision on behalf of the Charter School.
  - o Voyager Academy's Managing Director, with assistance from the homeless liaison, shall forward all written documentation and related paperwork to the local governing Board for review within two (2) school-business days of notifying the parent/guardian/caregiver/unaccompanied youth of the decision rendered at Level II.
  - o The entire dispute package including all documentation and related paperwork is to be submitted to the governing Board in one consolidated and complete package. It is the responsibility of the PSU to ensure that the dispute package is complete and ready for review at the time of submission to the governing Board.
  - o The local governing Board, or a panel of at least two Board members, shall schedule a conference with the parent/guardian/caregiver/unaccompanied youth to render a final decision on behalf of the Board. The Board or Board panel, shall provide a written decision **within two (2) school-business days**. The Board's or Board panel's decision shall be considered the final decision of the Charter School for the purpose of appealing to the State Coordinator for the Education of Homeless Children and Youth. The written notification shall be provided to the parent/guardian/caregiver/unaccompanied youth as well as to the Managing Director and the homeless liaison. Also, the notification shall contain the name and contact information for the State Coordinator for the Education of Homeless Children and Youth along with details on appeal rights of the parent/guardian/caregiver/unaccompanied youth.
- **Level IV:** If the dispute continues to be unresolved, the final appeal (Level IV) is to the NC State Coordinator for the Education of Homeless Children and Youth (EHCY).

- o Every effort must be made to resolve the dispute at the local level before it is brought to the NC State Coordinator for the Education of Homeless Children and Youth.

- o The parent/guardian/caregiver/unaccompanied youth have the option of filing an oral or written dispute with the State Coordinator for the Education of Homeless Children and Youth within three (3) school-business days of receiving the Board's or Board panel's decision. The local homeless liaison shall provide the complete dispute record within three (3) school-business days following the request of the State Coordinator for the Education of Homeless Children and Youth. The State Coordinator shall issue a final written decision to the parent/guardian/caregiver/unaccompanied youth and the PSU within ten (10) school-business days following receipt of a complete dispute package. Additional details on the NC Dispute Resolution policy and the process used by the State Coordinator for the Education of Homeless Children and Youth [is located here](#).

- o The PSU homeless liaison (Dr. Link) will forward all documentation involved in the dispute to the State Coordinator for a final decision.

- o The State Coordinator is:

§ Lisa Phillips

336-315-7491

lphillip@serve.org

P.O. Box 5367, Greensboro, N.C. 27435

### **Dispute Resolution Terms:**

1. The terms "homeless," "homeless child," and "homeless student" shall mean the same as the term "homeless children and youth" as defined by 42 U.S.C. § 11434a(2). These terms shall also be deemed to include the term "unaccompanied youth."
2. "The term "unaccompanied youth" shall mean the same as defined by 42 U.S.C. § 11434a(6)
3. The term public school unit (PSU) includes local school administrative units, charter schools, lab schools, regional schools, Innovative School District schools, and Innovations Zone schools, and was formerly known as local educational agency (LEA).

4. The term “PSU dispute resolution process” shall refer to the PSU’s policy on resolving complaints brought by parents, legal guardians, or unaccompanied youth regarding students experiencing homelessness. The term shall refer to appeals processes within the PSU, prior to any appeal by the parent, legal guardian, or unaccompanied youth appeals to the State Coordinator.
5. The term “local homeless liaison” shall refer to the official at each PSU, who ensures the PSU dispute resolution process for homeless children and youth is mediated in accordance with local, state, and federal policy as required by 42 U.S.C. § 11432(g)(6)(A)(vii).
6. The term “school-business day” means days on which students are scheduled to be in attendance at school, according to the academic calendar adopted by the PSU.
7. The term “State Coordinator” shall refer to the staff person who carries out federally mandated duties regarding students experiencing homelessness as required by 42 U.S.C. § 11432(d)(3).
8. The term “State appeal process” shall refer to the policies the State Coordinator, PSUs, parents, legal guardians, and unaccompanied youth must follow when a parent, legal guardian, or unaccompanied youth seeks to appeal a dispute to the State Coordinator.

Board Approved: August 25<sup>th</sup>, 2022



## Voyager Academy

### McKinney-Vento Written Notice of Appeal

Please complete the Form below to file an appeal with the Voyager Academy McKinney-Vento Program. The school liaison may assist with completion of the Form to include sending the Form to the Managing Director and providing a copy of this appeal for your records. You may submit your appeal verbally to Dr. Monique Link (919-433-3301 X146) or in writing to Dr. Link (mlink@voyageracademy.net).

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

Name: \_\_\_\_\_

Relationship to Student: \_\_\_\_\_

Student(s): \_\_\_\_\_

Address: \_\_\_\_\_

#### Dispute Involves:

- ☐ Immediate Enrollment
- ☐ School Choice
- ☐ Eligibility for the McKinney-Vento Program

I disagree with the School's decision for the following reason(s):

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**Voyager Academy**

**McKinney-Vento Appeal Determination**

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

Student(s): \_\_\_\_\_

Managing Director's Determination: \_\_\_\_\_

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Printed Name

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Signature



**Voyager Academy**

**McKinney-Vento Appeal Determination**

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

Student(s): \_\_\_\_\_

Local Governing Board's Determination: \_\_\_\_\_

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Printed Name

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Signature

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