

ELLSWORTH SCHOOL DEPARTMENT

McKinney-Vento Enrollment Dispute Resolution Process

The McKinney-Vento Act calls for “procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth.”

Reasons for Dispute

If a dispute arises between the district and parent, guardian or unaccompanied homeless youth, the homeless education liaison must ensure that the student is immediately enrolled in the school in which enrollment is sought pending a final resolution of the dispute, including all available appeals. The parent, guardian or unaccompanied homeless youth will be provided with a written explanation of any enrollment decisions made by the district and be informed of the right of the parent, guardian or unaccompanied homeless youth to appeal this decision.

Considerations

Determinations regarding enrollment and the subsequent provision of transportation if necessary, must presume that keeping the student in the school of origin is in the student’s best interest. The school must consider the request of the parent/guardian or unaccompanied youth when collaborating on enrollment decisions. The liaison must consider student-centered factors related to the student’s best interest including the impact of mobility on achievement, education, health, and the safety of homeless students. The wishes of the parent, guardian or unaccompanied youth must be considered as primary to the decision-making process.

Dispute Resolution Process

In order to ensure the prompt resolution of disputes the Ellsworth School Department has established the following McKinney-Vento Dispute Resolution Process:

1. The dispute resolution process begins at the time a district denies the continued enrollment or right to enroll a homeless student in the school selected by the parent, guardian or unaccompanied homeless youth.
2. A student must be allowed to attend the school in which enrollment is sought and transportation provided (if needed) pending the resolution of the dispute.
3. The homeless education liaison must provide notice of the denial to the parent, guardian, or unaccompanied youth on the day of the denial using the School District Notification of Enrollment Decision form.
4. The homeless liaison must provide the parent, guardian, or unaccompanied youth with written notice in clear, easy-to-understand language detailing the dispute resolution process, informing them of the right to appeal and the option to obtain counsel.
5. The homeless liaison must provide the prescribed form to be completed if the parent, guardian or unaccompanied youth decides to appeal the school district’s enrollment decision.

6. The homeless liaison must assist in promptly submitting an appeal within three school days with an extension of up to ten additional school days with approval from the Maine State McKinney-Vento Coordinator.
7. If the district has not notified the parent of its enrollment decision or the parent's right to appeal that decision, the parent/guardian or unaccompanied homeless youth may initiate a dispute by contacting the Maine State McKinney-Vento Coordinator.
8. Following receipt of the district's denial letter and the appeal request, the Maine State McKinney-Vento Coordinator or the Maine State McKinney-Vento Coordinator Designee shall promptly issue a decision. This process takes five to ten school days. The decision of the Commissioner or the Commissioner's Designee is final.

The Maine State McKinney-Vento Coordinator may provide technical assistance to either or both parties regarding the dispute, the dispute resolution process, the requirements of McKinney-Vento, and/or other applicable state and federal laws.