

McKinney-Vento Homeless Education

Dispute Resolution Process

The Ames Community School District adopts the following principles as the basis of its McKinney -Vento Dispute Resolution Process:

1. A student must be allowed to attend the school whose district is challenging the student's right to attend until the Director of Student Services or the Director's designee makes a final decision regarding the dispute. The denying school district must continue to provide transportation and other school services to the student until the dispute is resolved.
2. The dispute resolution process begins at the time a school denies the right of either a parent or guardian to enroll a child or to continue a child's enrollment in school, or in the case of an unaccompanied youth, the youth's right to enroll or to continue enrollment in school.
3. When a school denies the enrollment of the child or unaccompanied youth, the school or school district must:
 - a. Provide notice of the denial to the district Homeless Liaison and the parent, guardian, or unaccompanied youth, on the day of the challenge using the *Ames Community School District Notification of Enrollment/Transportation Decision* form.
 - b. Provide notice of the right to challenge and appeal the denial to the parent, guardian, or unaccompanied youth. This notice must include a form to be completed by the parent, guardian, or unaccompanied youth should he or she decide to challenge or appeal the school's enrollment decision. The District Homeless Liaison will assist in completing this form when necessary.
 - c. Notify the Director of Student Services of the denial on the day of the denial, providing copies of all notices given to the parent, guardian, or unaccompanied youth.
4. The District Homeless Liaison will provide the parent, guardian, or unaccompanied youth with written notice in clear, easy-to-understand language detailing the dispute resolution process.
5. The Director of Student Services will have three working days following receipt of the challenge to review its initial decision and make a final decision as to the position taken, i.e. whether it will continue to challenge the right of the student to be enrolled.
6. The final decision must be made in writing by the Director of Student Services. The decision must state all factual information upon which it is based and the legal basis in support thereof.
7. If the final decision by the Director of Student Services is adverse to the position of the parent, guardian, or unaccompanied youth, they can choose to appeal the decision with the Superintendent.

8. A copy of this written decision must be provided to the Superintendent, the District Homeless Liaison and through him/her to the parent or guardian on the same day it is made (no later than the end of the third working days from the initial determination).
9. The Superintendent, or designee shall have five working days following receipt of the appeal by the parent, guardian, or unaccompanied youth to issue a decision. The decision of the Superintendent shall be final.

In making determinations regarding enrollment and the subsequent provision of transportation if necessary, the Superintendent will be guided by the following excerpts from the U.S. Department of Education (USDE) Non Regulatory Guidance:

- *"Best interest of the child" shall be determined utilizing the guidance provided in G-2: "In determining a child or youth's best interest, an LEA must, to the extent feasible, keep a homeless child or youth in the "school of origin" unless doing so is contrary to the wishes of the child or youth's parent or guardian, or unaccompanied youth."*
- *"Feasibility" shall be determined utilizing the guidance provided in G-4: "As stated above, to the extent feasible, a district must educate a homeless child or youth in his or her school of origin, unless doing so is contrary to the wishes of the parent or guardian (unaccompanied youth). The placement determination should be a student-centered, individualized determination."*

Ames Community School District

Notification of Enrollment/Transportation Decision

This form is to be completed when a school/district denies the school enrollment choice and/or the transportation request of a parent, guardian, or unaccompanied youth, who is seeking enrollment in and/or transportation to school under the McKinney-Vento Homeless Education Assistance Act.

Date:	
Person Completing Form:	
Title:	
Enrolling School:	
Enrolling District:	

In compliance with Section 722(g)(3)(E) of the McKinney-Vento Homeless Education Assistance Act of 2001, this written notice of denial of school enrollment and/or the transportation request is provided to:

Parent/Guardian/Un-accompanied Youth:	
Referencing the following Student(s):	

After reviewing the request to enroll and/or to provide transportation for the above student(s), the school enrollment and/or transportation request is denied for the following reasons:

You have the right to challenge this decision by contacting the district's Homeless Liaison who will assist you in the appeal process:

Sipele Quezada, District Homeless Liaison
515-268-2400 or 515-520-4042

In addition:

- Until the Director of Student Services or the Director's designee makes a final decision regarding your challenge, the above student will be allowed to attend the school of choice and the school district will provide transportation and other school services.
- You may seek the assistance of advocates or attorneys.
- You may provide either written or verbal reasons for your challenge of this decision. A challenge form is below. The District Homeless Liaison will forward your challenge to the Director of Student Services and give a copy to you for your records.
- You may contact the Ames Community School District's Student Services Department:

***Yonas Michael , Director of Student Services
515-268-6628***

Signed: _____ Date: ___/___/___

Request to Challenge the Decision

- I wish to challenge the decision of the school regarding enrollment and/or transportation services for my student(s). Please forward this form to the Director of Student Services for review.
- I do not want to challenge the decision of the school. I understand my rights to challenge and/or appeal this decision and have been made aware of the process.

Signed: _____ Date: ___/___/___

Submit this completed form to Yonas Michael, Director of Student Services: 415 Stanton Avenue Ames, Iowa 50014 (Fax) 515-268-6633.

The Director of Student Services will provide a written response to this request within three working days following the receipt of this form. Please keep a copy of this request for your records.

Ames Community School District

Appeal of Enrollment/Transportation Decision

You should complete this form if you are a parent, guardian, or unaccompanied youth who disagrees with a school enrollment and/or transportation decision. The District Homeless Education Liaison will assist you with this form and may take the information verbally if you wish.

Date:	
Parent/Guardian or Unaccompanied Youth:	
Student(s):	
Phone #:	

I wish to appeal the enrollment and/or transportation decision made by:

Name:	
School:	
District:	

I have been provided with the following:

- a copy of the Notification of Enrollment Decision and the Ames Community School District Dispute process
- contact information for the District Homeless Liaison
- a written decision from the Director of Student Services denying my challenge of the school's decision

I would like the Superintendent to appeal the decision made by the school and Director of Student Services. I disagree with the enrollment/transportation (circle one or both) decision for the following reason(s):

- I know that I may seek the assistance of advocates or attorneys.
- I know that I may contact the District Homeless Liaison for assistance:

Sipele Quezada, District Homeless Liaison at 515-268-2400

- I know that the Superintendent will make the final decision for the school district.
- I know that if I do not agree with the decision of the school district, the District Homeless Liaison will assist me in appealing the process on the state level if I so choose.

Signed: _____ Date: ___/___/___

Submit this completed form to Tim Taylor, Superintendent: 415 Stanton Avenue Ames, Iowa 50014 (Fax) 515-268-6633.

The Superintendent or designee will provide a final decision to this request within five working days following the receipt of this form. Please keep a copy of this request for your records.