

HOMELESS STUDENT ENROLLMENT DISPUTE RESOLUTION PROCEDURES

I. Purpose

The purpose of this policy is to assure the continuation of educational placement of a student in a homeless situation during a dispute.

II. General Statement of Policy

Families and youth in homeless situations may be unaware of their right to dispute placement and enrollment decisions. When disputes are raised, too often, students are kept out of school during the dispute resolution process. This interruption in education can severely damage students' academic progress. Disputes regarding the educational placement of a student in a homeless situation will be expeditiously addressed through a dispute resolution process. Parents or guardians and unaccompanied youth must be informed of the process and in the event of the dispute, the student must be immediately enrolled in the school of choice while the dispute is being resolved.

III. Definitions

A. "Homeless student" means a student, including a migratory student, who lacks a fixed, regular, and adequate nighttime residence and includes: students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; are awaiting foster care placement; 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; are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

B. "Unaccompanied youth" means a youth who meets the definition of homeless and is not in the physical custody of a parent or guardian.

IV. Procedures

A. If a family or youth in homeless situations attending school wants to pursue their right to a dispute or if the district disagrees with a parent,

guardian or homeless youth regarding an issue related to the rights of a homeless student, the following steps must be taken:

1. The school district must immediately enroll the student/s and arrange transportation and other services as appropriate.
2. With the involvement of the District Homeless Liaison, attempt to discuss the issues to determine if more information will resolve the issue.
3. If the issue cannot be resolved, a letter will be issued to the parent/guardian or youth explaining the district's position as to the homelessness-related dispute. In this letter, it is important to include referrals from the district Ombudsperson, advocates or attorneys.
4. Either party may send a written request to the Minnesota Department of Education State Coordinator for the Education of Homeless Children and Youth asking the State Coordinator to review such decision for compliance with applicable law. Such request must include any documentation related to the dispute resolution proceeding.
5. The State Coordinator may request any additional information from either party he or she deems relevant in resolving the issue. The Minnesota Department of Education has its own homeless student enrollment dispute resolution procedure which it must follow that includes various stakeholders and a timeframe for resolving the dispute quickly.
6. The State Coordinator will inform all parties of the final determination.

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