

Homeless Education Dispute

Bessemer City Schools Homeless Education Program

To file a formal dispute under the McKinney-Vento Homeless Assistance Act, please fill out this form completely and submit it by hand-delivery, e-mail, or U.S. Mail to the principal or the LEA's liaison for homeless students, *Kimbley Gaston*. District policy typically requires dispute forms to be filed within fifteen (15) business days of receiving the written explanation of the LEA's decision. However, because the McKinney-Vento dispute process should be expedited whenever possible, it is recommended that you submit the form as soon as possible, preferably within ten (10) business days of receiving the written explanation of the LEA's decision.

If a dispute arises over school selection or enrollment in a school, the child shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. The student will remain attending the school where enrollment is sought during the entire dispute resolution process.

If you need assistance filling out this form or if you have other questions, please contact the liaison for homeless students at 1621 5th Avenue Bessemer, Alabama 35020 / 205.432.3000

INITIATION OF THE DISPUTE RESOLUTION

The parent or unaccompanied youth shall be informed of their right to appeal the decision made by the LEA. At a minimum, the LEA must provide the following information:

- written contact information for the LEA's homeless liaison and state coordinator with a brief description of each of their roles;
- written notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
- a simple, written form that parents, guardians, or unaccompanied youth can complete and turn in to the school or LEA's homeless liaison to initiate the dispute process;
- a copy of the completed form for the parent, guardian, or youth for their records at the time it is submitted; and written, step-by-step instructions on how to object to or

appeal (at all four levels described below) the LEA's decision regarding eligibility, enrollment, or educational placement.

Overview of Dispute Resolution

- **Level 1—Appeal to the School or the LEA Homeless Liaison:**

If a parent or unaccompanied youth wishes to appeal an LEA's decision related to eligibility, enrollment, or school selection, the appeal is submitted to the LEA's homeless liaison or the homeless contact at the school where the dispute is taking place. Within five (5) working days after receiving the complaint, the coordinator shall state a decision in writing to the complainant, with supporting evidence and reasons. In addition, the coordinator will inform the Superintendent or his/her designee of the formal complaint and the disposition.

- **Level 2—Appeal to the Superintendent of School or Designee:**

If the dispute is unresolved, within five (5) working days after receiving the decision at Level I, the complainant may appeal the decision to the Superintendent or his/her designee by filing a written appeal package. This package shall consist of the complainant's grievance and the decisions rendered at Level I. The Superintendent or his/her designee will arrange for a personal conference with the complainant at their earliest mutual convenience. Within five (5) working days after receiving the complaint, the Superintendent or his/her designee shall state a decision in writing to the complainant, with supporting evidence and reasons.

- **Level 3—Appeal to the School Board of Education**

If the resolution is not reached in Level II, a similar written appeals package shall be directed through the Superintendent or his/her designee to the Board requesting a hearing before the Board at the next regularly scheduled or specially called meeting. The hearing before the Board may be conducted in closed session upon the request of either the Board or the complainant. Within thirty (30) working days after receiving the appeals package, the Board shall state its decision and reply in writing to the parties involved. For district purposes, the decision of the Board is final.

- **Level 4—Appeal to the State Homeless Education Coordinator**

If the complainant is dissatisfied with the action taken by the school district, a written notice stating the reasons for the dissatisfaction may be filed with the State Homeless Education Coordinator. The state coordinator will initiate an investigation; determine the facts relating to the complaint, and issue notice of his or her findings within thirty (30) days to the school district and the complainant. If the findings support the action taken by the school district, such action will be confirmed. If the findings support the allegations of the complainant, the school district will be

directed to take corrective action. An appeal of this decision can be made within ten (10) days to the State Department of Education. Within thirty (30) days after receiving an appeal, the State Department of Education will render a final administrative decision and notify the complainant and all other interested parties in writing.

NOTE: At each level of appeal, the LEA or State must provide a written explanation of the decision regarding eligibility, enrollment, or educational placement to the parent or the unaccompanied youth. The notice and written explanation from the district about the reason for its decision, at a minimum, should include the following:

- a description of the action proposed or refused by the LEA or department;
- an explanation of why the action is proposed or refused;
- a description of any other options the school rejected;
- a description of any factors relevant to the school or State's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources;
- a description of the right to appeal, including the dispute resolution process, and appropriate timelines to ensure any relevant deadlines are not missed; and
- contact information for the local district homeless liaison and state coordinator, including a brief description of their roles.

Program Contact Information

Kimbley Gaston
Bessemer City School
1621 5th Avenue North
Bessemer, Alabama 35020

Alabama Department of Education/State Coordinator Contact:

Mrs. LaDonna Rudolph,
ALSDE Homeless Coordinator
telephone: (334) 694-4534
or by email at ladonna.rudolph@alsde.edu.

**McKinney-Vento Dispute Resolution Process Parent/ Unaccompanied Youth Dispute
Request Form**

This form is to be completed by the Parent/Legal Guardian or unaccompanied student when requesting dispute resolution at Level II when a dispute arises over school placement or enrollment decisions, including transportation.

Date Submitted: _____

Student(s) Name	Birth Date	School	Grade

Persons completing the form: _____

Contact Information _____

Relationship to student(s): _____

I wish to appeal the placement or enrollment decision regarding the above student(s).

The decision was made by: _____

Provide a written explanation to support your appeal in this space below:

I have been provided with a written explanation of the dispute decision:

Yes No

Signature of the person submitting the dispute: _____

Printed Name _____

Please submit to the address below: 1621 5th Avenue Bessemer, Alabama 35020

