

Leake County School District

Homeless Dispute Policy

If a dispute arises over school selection or enrollment, Leake County School District will immediately enroll the homeless student in the school in which enrollment is sought by the parent or guardian, pending resolution of the dispute and all services and programs will be available to the student. The dispute resolution process will take place as expeditiously as possible. Our goal is to resolve any dispute within a timely fashion as to not impede student success in our school.

Parents, guardians, and unaccompanied youth may initiate the dispute resolution process directly at the school they choose, as well as at the district or LEA homeless liaison's office

The following steps will take place for the dispute resolution:

- The on-site counselor for the school in which enrollment is sought will contact Leake County School District Homeless Liaison immediately and inform of the specifics in writing
- The Federal Programs Director and the Assistant Superintendent will meet to discuss the specifics of the parent/guardian request. If there are multiple children involved in multiple schools, then all may be discussed to resolve the school of choice question at one time. Within the district disputes will be resolved at the district level.
 - o If inter-district issues arise, a representative from all involved districts and a representative from MDE should be present
 - o Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their position
 - o A State-level appeal process, involving the State coordinator, should be available for appeals of district-level decisions and resolution of inter-district disputes (See Section 722(g)(1)(C))
- Written statement of the school placement decision and the appeal rights will be given/sent to parent/guardian. This will outline the specific reasons for the school district's decision.

The following will be available to the parent/guardian at the time of the parent/guardian's attempt to enroll the child/children.

Written notice should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand. The notice should include:

1. Contact information for the LEA homeless liaison;
2. A simple form that parents, guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process. (The school will copy the form and return the copy to the parent, guardian or youth for their records when it is submitted);

4. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
5. Notice that immediate enrollment which includes full participation in all school activities;
6. Notice of the right to appeal to the State if the district level resolution is not satisfactory; and
7. Timelines for resolving district- and State-level appeals.

Mississippi Administrative Procedure for Complaints or Appeals under the No Child Left Behind Act of 2001 (NCLB)

What must be included in a complaint?

When a complaint cannot be resolved at the LEA level, the complaint must be submitted in writing to the Mississippi Department of Education, Federal Programs Office. Persons issuing verbal complaints will be asked to complete a written complaint form prior to any official investigation, or assisted with the completion of the complaint form.

The complaint must include the name and address of the person submitting the complaint and a description of the complaint. The complaint must also include a statement which assures that to the best of the complainant's knowledge, the agency has violated a requirement of a federal statute or regulation that applies to an applicable program. In addition, the facts on which the statement is based and the specific requirement allegedly violated must be included.

Where should a complaint be sent?

The mailing address is: Mississippi Department of Education, Office of Innovative Support/Kelsey Blumenberg, Suite 162 Central High School, Post Office Box 771, Jackson, Mississippi 39205-0771. The office may also be contacted via telephone at (601) 359-3499.

What happens to complaints after they are received by the Federal Programs Office?

A. Complaint Review

- a. In the first level of review, a complaint shall be answered by the Bureau Director, with assistance from staff.
- b. The Bureau Director shall determine whether additional information is necessary, if so appropriate program staff will notify the agency involved, and conduct an on-site review investigating the complaint.
- c. The Bureau Director shall determine whether additional information is necessary. If there are serious violations, verified after the on-site review, then the information gathered will be forwarded to other appropriate offices or organizations.
- d. Once the investigation has been completed, the Federal Programs Office will issue a letter stating the findings of facts. The letter stating the findings of fact shall be mailed no later than 60 calendar days from the date the Federal Programs Office receives the complaint in writing.
- e. If areas of noncompliance are found, corrective action will be required and timelines for completion indicated. All parties will be informed of the areas of noncompliance and the required corrective actions.
- f. The Federal Programs Office may extend the 60-day timeline, if exceptional circumstances exist. Examples of exceptional circumstances may be, but not limited to:

- The complexity of the issues;
- The need for additional information; and/or
- The unavailability of any of the necessary parties.

B. Appeals

- a. An individual may appeal an administrative determination of the Bureau Director. The individual must submit the appeal in writing to the address above. The appeal must be postmarked no later than 25 calendar days after the date the Bureau Director's determination is made.
- b. A final decision on the complaint shall be made after consulting with the State Superintendent of Education or designee.
- c. The State Superintendent of Education shall provide written notification to the individual who submitted the complaint about the disposition of the complaint no later than 30 days after final action.
- d. The complainant has the right to request the Secretary of Education to review the decision of the State Department of Education. This review is at the Secretary's discretion.
- e. In matters involving violations of section 9503 (participation of private school children), the complainant has the right to request the Secretary of Education to review the decision of the Mississippi State Department of Education. The Secretary will follow the procedures in section 9501(b). For additional information on complaint procedures for participation of private school children, visit:

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<http://www.ed.gov/policv/elsec/leg/esea02/pg111.html#sec9503>. ;

- V "The above is the Mississippi Department of Education Complaint Policy from MDE website.