

# NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

---

## Colorado State Procedures – Dispute Resolution Under the McKinney-Vento Act

According to the McKinney-Vento Homeless Assistance Act, a Local Education Agency (LEA) must continue educating the child or unaccompanied youth in the school of origin for the duration of homelessness when the homelessness occurs between or during an academic year; or for the remainder of the academic year if the child or unaccompanied youth becomes permanently housed during that academic year; or enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is living are eligible to attend (McKinney-Vento Act § 722(3)(A)(i)(ii)). If a dispute arises over school selection or enrollment, the LEA must immediately enroll the student in the school in which enrollment is sought pending resolution of the dispute (§ 722(3)(E)(i)). Similar provisions apply to the placement of unaccompanied youths.

Colorado State code provides a detail process for compliance under McKinney-Vento.<sup>1</sup>

### **Step One: School Enrollment**

In Colorado, if a homeless child's parent, legal guardian, or unaccompanied homeless youth disagrees with the decision of the school district regarding the district in which the homeless youth resides, the homeless youth shall be immediately enrolled in the school selected by the homeless youth's parent or legal guardian, or by the unaccompanied homeless youth, pending resolution of the dispute through the appeal (C.R.S. 22-33-103.5 (4)(a)).

### **Step Two: Enrollment Dispute**

The parent, guardian, or unaccompanied youth will contact the LEA Liaison. At that point it is the responsibility of the liaison to assist this person resolving the issue within ten (10) business days, assist in proceeding to step two, or contacting a mediator from the Colorado Mediator Resource Network to support parties in dispute.<sup>2</sup> There is nominal fee for the district and there is no fee for the parent or unaccompanied youth.

The liaison will attempt to resolve the issue with the LEA by following the district dispute policy. If the dispute is not resolved at this point, the liaison will contact the State Coordinator for the Education of Homeless Children and Youth. The State Coordinator will attempt to resolve the conflict informally through communication with the LEA, the LEA Liaison, and the affected party(ies).

---

<sup>1</sup><http://www.cde.state.co.us/cdeprevention/download/word/CO%20MV%20Dispute%20Resolution%20Policy%202011.doc>

<sup>2</sup> Colorado Mediator Resource Network:

[http://www.cde.state.co.us/cdeprevention/download/pdf/Regional\\_Mediators.pdf](http://www.cde.state.co.us/cdeprevention/download/pdf/Regional_Mediators.pdf)

### **Step Three: Formal Complaint**

If the State Coordinator is unable to resolve this conflict within fifteen (15) business days, then the parent, guardian, or unaccompanied youth may file a written complaint to the State Coordinator. A team consultation comprised of the State Coordinator, Prevention Initiatives Supervisor, and the Prevention Initiatives Director will review the complaint. The decision will be made within fifteen (15) business days and the written decision will be mailed to all parties by registered mail. The Dispute Report Form should be used during the resolution process.

### **Required Documents and Timeline for Disputing an Enrollment Decision**

<b>Resource or Document:</b>	<b>Completed by:</b>	<b>Given to:</b>	<b>Due Date:</b>
The LEA Liaison should contact the Colorado Mediator Resource Network if they cannot assist with resolving the dispute.  <a href="http://www.cde.state.co.us/cdeprevention/download/pdf/Regional_Mediators.pdf">http://www.cde.state.co.us/cdeprevention/download/pdf/Regional_Mediators.pdf</a>	LEA Liaison	Not Applicable	Within ten (10) business days or the LEA Liaison will assist in going to step B of the Dispute Resolution Procedure.
Dispute Resolution Form & Written Complaint  <a href="http://www.cde.state.co.us/cdeprevention/download/word/CO%20MV%20Dispute%20Resolution%20Policy%202011.doc">http://www.cde.state.co.us/cdeprevention/download/word/CO%20MV%20Dispute%20Resolution%20Policy%202011.doc</a>	Parent, Guardian, or Unaccompanied Youth	State Coordinator	May be submitted after fifteen (15) business days if the State Coordinator was unable to resolve the conflict.

### **Additional Information**

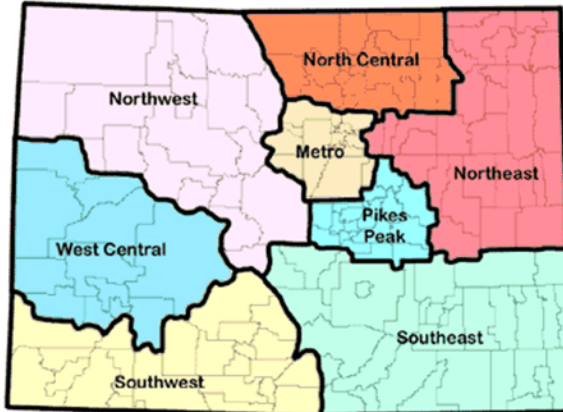
#### **Instructions to Locate Your Local LEA Liaison**

The following instructions provide access to a list of the Colorado McKinney-Vento Homeless Liaisons.

1. Go to the Colorado School District McKinney-Vento Homeless Liaison website:  
[http://www.cde.state.co.us/cdeprevention/homeless\\_liaisons.htm](http://www.cde.state.co.us/cdeprevention/homeless_liaisons.htm)

2. Click on the "[here](#)" link shown at the top of the page.
3. This will open a Microsoft Excel spreadsheet showing the liaison for each school district along with their contact information.

### CDE's Regionalized Service Map



For contact information on your Regional Field Services Contact, click or hover over the appropriate area of the map. If you are unsure as to which region your district belongs, try the nearest logical region and check the list of districts you find there.

(The regionalized service map can be found at: <http://www.cde.state.co.us/cdeedserv/rgmapage.htm>)

### State Contacts

Dana Scott: *State Coordinator for the Education of Homeless Children and Youth*

Address: Colorado Department of Education  
201 E. Colfax Avenue  
Denver, CO 80203

Phone: (303) 866-6930  
Email: [scott\\_d@cde.state.co.us](mailto:scott_d@cde.state.co.us)

Catherine Haller: *McKinney-Vento Regional Specialist*

Phone: (970) 270-2174  
Email: [Haller\\_C@cde.state.co.us](mailto:Haller_C@cde.state.co.us)

Yvonne Morfitt: *McKinney-Vento Regional Specialist*

Phone: (719) 480-0658  
Email: [Morfitt\\_Y@cde.state.co.us](mailto:Morfitt_Y@cde.state.co.us)