

# NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

## Louisiana 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.

### **Dispute Resolution Process for School Selection or Enrollment**<sup>1</sup>

The following procedure is to be implemented if a dispute arises over school selection or enrollment in a school:

1. If a dispute arises over school selection or enrollment, the child/youth must be immediately admitted to the school in which he/she is seeking enrollment, pending resolution of the dispute (five days).
2. The parent or guardian must be provided with a written explanation of the school's decision on the dispute, including the right to appeal.
3. The parent/guardian/youth must be referred to the homeless liaison, who will carry out the state's grievance procedure as expeditiously as possible after receiving notice of the dispute.
4. In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.
5. Each LEA shall ensure the prompt resolution (within five school days) of disputes regarding the educational placement of homeless children and youth following the procedures in the Louisiana State Plan for Educating Homeless Children and Youth.

<b>Form or Document:</b>	<b>Completed by:</b>	<b>Given to:</b>	<b>Due Date:</b>
Written explanation of the school's decision regarding school selection or enrollment	LEA	Parent or Guardian	Not Specified
Notice of Right to Appeal	LEA	Parent or	Not Specified

<sup>1</sup> <http://www.doa.louisiana.gov/ost/lac/28v115/28v115.doc>

		Guardian	
Written opinion (should the decision be appealed)	Local LEA Liaison	Parent or Guardian	5 days of receipt of written complaint

**Additional Information**

**State Officials**

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