

---

# NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

---

## Wyoming State Procedures – Dispute Resolution under McKinney-Vento Act

According to the McKinney-Vento Homeless Assistance Act, a Local Education Agency (“LEA”), typically a school district, 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.

Wyoming’s dispute procedures are not explicitly codified in state statutes. However, the state is required to follow the provisions of McKinney-Vento.

Each district is required to designate a McKinney-Vento Liaison for each school year and the school administrative staff or the local board of education should be able to provide contact information for the Liaison upon request.

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

School enrollment of a homeless child or youth shall be determined by the parent, guardian, student of lawful age, or unaccompanied youth.

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

If an enrollment dispute develops regarding the enrollment of a child or youth who is homeless, the child or youth shall be immediately admitted to the school (McKinney-Vento 722 § 722(3)(E)(i)).

There is no uniform statewide policy in Wyoming for addressing enrollment disputes under McKinney-Vento. Each district maintains its own process for handling enrollment disputes, and the policy is included in each district’s Board of Education policy.

In the event of an enrollment dispute between the school district and an eligible student, the district will ideally process the dispute according to the policy approved by the district’s board of education. At minimum, the district must provide the student, parent, guardian, or unaccompanied youth written notice of its decision, including the student’s right to appeal (McKinney-Vento § 722(g)(3)(E)(ii)).

**Step Three: Appeal Process**

If the parent, guardian or unaccompanied youth disagrees with the outcome of the dispute process at the local level, the dispute may be appealed to the state’s department of education. (Please note that there are no interim levels in the appeal process between school district and state.) The written dispute should be sent to the Wyoming Department of Education (“WDE”), where it is reviewed by the McKinney-Vento Program Manager, and if necessary, the WDE Federal Programs Director and agency legal counsel. Again, the student, parent, guardian or unaccompanied youth will receive a written notice of the decision.

It is not clear and we were not able to ascertain if there are additional appeal options following the WDE’s decision if the school district and parent, guardian or unaccompanied youth still disagree.

<b>Procedural Step:</b>	<b>Completed by:</b>	<b>Given to:</b>	<b>Due Date:</b>
<b>Dispute</b>	The school district notifies the parent, guardian or unaccompanied youth of its decision, in writing. The district must also include information regarding the right to appeal the decision.		Not Specified.
<b>Appeal</b>	Parent, guardian or unaccompanied youth	<b>WDE McKinney-Vento Program Manager, and if necessary, the WDE Federal Programs Director and agency legal counsel</b>	Not Specified.

**State Officials**

Kenya Haynes  
Title I, Part D, Title IX, and McKinney-Vento Programs Manager  
Wyoming Department of Education  
Hathaway Building, 2nd Floor  
2300 Capitol Avenue  
Cheyenne, WY 82002  
307-777-3672

[kenya.haynes@wyo.gov](mailto:kenya.haynes@wyo.gov)

Christine Steele, Federal Programs Unit Director  
State Department of Education, Federal Programs Unit  
Wyoming Department of Education  
Hathaway Building, First Floor  
2300 Capitol Avenue  
Cheyenne, WY 82002  
307-777-6216  
[christine.steele@wyo.gov](mailto:christine.steele@wyo.gov)

Dr. Jim McBride, Superintendent of Public Instruction  
Wyoming Department of Education  
Hathaway Building, First Floor  
2300 Capitol Avenue  
Cheyenne, WY 82002  
307-777-7673

Website: <http://edu.wyoming.gov>