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# NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

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## Ohio 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 Guidance for School Selection or Enrollment**<sup>1</sup>

#### General Guidelines

- Disputes should be resolved at the district level rather than the school level.
- The dispute resolution process should be as informal and accessible as possible allowing for impartial and complete review.
- Parents, guardians and unaccompanied youth should be able to initiate the resolution process directly at the school they choose, as well as at the district LEA homeless liaison's office.
- Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their views.
- Students are to be provided with all services for which they are eligible while the disputes are being resolved.
- Written documentation should be complete, as brief as possible, simply stated and provided in a language the parent, guardian, or unaccompanied youth can understand.

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

1. The LEA shall provide the parent or guardian with a written explanation of the school's decision regarding school selection or enrollment.

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<sup>1</sup> <http://www.ode.state.oh.us/GD/DocumentManagement/DocumentDownload.aspx?DocumentID=3040>

2. The LEA shall inform the parent or guardian in writing of their right to appeal the decision.
3. Should the dispute continue the LEA shall refer the parent or guardian to the local LEA liaison who shall review the complaint and issue an opinion in writing to the parent or guardian.
4. Should the dispute continue the LEA liaison shall assist the parties involved in presenting the situation to the Ohio Department of Education homeless education coordinator.
5. The state homeless education coordinator shall recommend a decision that shall be provided to the parent, local superintendent and the local educational agency liaison.
6. Should the dispute continue a final appeal may be made to the State Superintendent of Public Instruction for review and disposition.
7. If a school district challenges the right of a homeless student to attend a district school, the school district must continue to provide transportation and other services to the student until the dispute is resolved.

<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 Guardian	Not Specified
Written opinion (should the decision be appealed)	Local LEA Liaison	Parent or Guardian	Not Specified

## Additional Information

### Instructions to Locate Your Local LEA Liaison

The following instructions provide access to a list of the Homeless Children and Youth School District Liaisons for the State of Ohio. This is a list of school district personnel assigned to this program.

1. Go to the CCIP home page: <https://ccip.ode.state.oh.us/default.aspx?ccipSessionKey=633505173852233758>
2. Click on the "**Search**" link found in the left navigation menu.
3. Enter the first few letters of the District Name into the "**Organization Name**" field provided. Use the appropriate selection from the drop-down menu, "**Begins With.**"
4. Click the "**Search**" button.
5. From the "**Search Results**" click on the District Name in which you are interested. You will be redirected to that district's CCIP page.
6. From this page click on the "**Address Book**" link listed in the menu on the left side of the page. This will direct you to the address book for the school district.
7. The third link under "**General Contacts**" is for the "**Homeless Education Liaison.**"

The "**LEA Contact**" is listed on the right side of the page. You can click on the person's name to find their e-mail address, phone number, etc.

### State Officials

Tom Dannis, State Coordinator  
Ohio Department of Education  
25 S. Front Street, Mail Stop 404  
Columbus, OH 43215  
Phone: (614) 466-4161  
Fax: (614) 752-1622  
E-mail: [Tom.Dannis@ode.state.oh.us](mailto:Tom.Dannis@ode.state.oh.us)

Michael Sawyers, Superintendent of Public Instruction  
Ohio Department of Education  
25 S. Front Street  
Columbus, OH 43215  
Phone: (877) 644-43215

**Frequently Asked Questions**

[https://ccip.ode.state.oh.us/DocumentLibrary/ViewDocument.aspx?DocumentKey=7567\\_2](https://ccip.ode.state.oh.us/DocumentLibrary/ViewDocument.aspx?DocumentKey=7567_2)