

IDEA Florida Homeless Student Dispute Process

1. Purpose

IDEA Florida is committed to ensuring that children and youth experiencing homelessness have equal access to a free, appropriate public education in compliance with the McKinney-Vento Homeless Assistance Act (Subtitle VII-B of the Every Student Succeeds Act).

This process establishes procedures for resolving disputes regarding eligibility, enrollment, school selection, or the provision of services to homeless children and youth, ensuring that such students are not denied access to educational opportunities due to their housing situation.

2. Definitions

For the purpose of this process:

- **Homeless Child or Youth:** As defined in McKinney-Vento, individuals who lack a fixed, regular, and adequate nighttime residence, including those living in shelters, motels, vehicles, campgrounds, abandoned buildings, or doubled-up with others due to loss of housing or economic hardship.
 - **Unaccompanied Youth:** A youth not in the physical custody of a parent or guardian.
 - **School of Origin:** The school the student attended when permanently housed or the school in which the student was last enrolled.
 - **School of Residency:** The school serving the attendance area where the student currently lives.
 - **Parent/Guardian:** Includes a natural or adoptive parent, legal guardian, or a person acting as a parent in the absence of a parent or guardian.
-

3. Immediate Enrollment and Continuity of Services

When a dispute arises regarding eligibility, school selection, or enrollment, IDEA Florida will immediately enroll the student in the school requested by the parent, guardian, or unaccompanied youth — whether that is the school of origin or the school of residency — pending final resolution of the dispute.

While the dispute or appeals process is pending:

- The student shall remain enrolled in the requested school;
 - The student shall receive **all services** for which they are eligible, including transportation, meals, and academic supports; and
 - No barriers shall prevent the student's full participation in school programs.
-

4. Written Explanation of Decisions

If IDEA Florida makes a decision regarding eligibility, school placement, or services that is contrary to the wishes of the parent, guardian, or unaccompanied youth, the school or site administrator must:

1. Provide a **written explanation** of the decision, including the reasons for it;
2. Inform the parent/guardian or youth of the **right to appeal** the decision; and
3. Provide contact information for the **IDEA Florida McKinney-Vento Liaison**, who can assist with the dispute and appeals process.

Written notice will be provided in a manner and language understandable to the parent, guardian, or youth.

5. Role of the Homeless Liaison and Chief of Staff

IDEA Florida designates a **McKinney-Vento Homeless Liaison** to:

- Ensure that disputes are handled promptly, fairly, and in compliance with federal and state law;
- Ensure students are immediately enrolled pending resolution;
- Provide guidance and assistance to families and youth during the dispute process;
- Escalate unresolved disputes to the **Chief of Staff** for review and decision; and
- Maintain records of all disputes, appeals, and outcomes.

The IDEA Florida Chief of Staff:

- Receives and documents all disputes or appeals from parents/guardians or unaccompanied youth;
 - Makes final determination for IDEA Florida on all appeals
-

6. Dispute Resolution and Appeals Process

If a disagreement arises, the following steps shall be followed:

Step 1 – Local Resolution

The parent, guardian, or unaccompanied youth may initiate a dispute by notifying the school's McKinney-Vento liaison, either verbally or in writing. The liaison will:

- Acknowledge receipt of the dispute within **three (3) business days**;
- Review the situation and attempt to resolve the issue at the school or site level;
- Issue a **written response** within **ten (10) working days** of receiving the dispute.

Step 2 – Escalation to Chief of Staff

If the dispute is not resolved at the local level, the liaison will forward the appeal to the **Chief of Staff**. The Chief of Staff will:

- Conduct a review of all documentation and relevant information;
- Carry out the appeals process within **ten (10) working days** of receiving notice of the appeal;

- Issue a **written decision** to the parent/guardian or unaccompanied youth within **five (5) business days** after the review.

During this process, the student will remain enrolled and continue receiving services as outlined under McKinney-Vento.

Step 3 – State-Level Appeal

If the parent/guardian or unaccompanied youth disagrees with the decision of the Chief of Staff, they may appeal to the **Florida Department of Education** (FLDOE). The IDEA Florida Homeless Liaison will provide the appropriate state contact information, forms, and assistance with submitting the appeal.

7. Documentation and Record-Keeping

IDEA Florida will maintain detailed records of each dispute, including:

- The name of the student and parent/guardian or unaccompanied youth;
- The nature and date of the dispute/appeal;
- Copies of all written communications and decisions;
- Timelines of each step taken; and
- The final outcome.

These records will be maintained for a minimum of **three (3) years** and will be used for compliance and program improvement purposes.

8. Training and Communication

IDEA Florida will provide annual training for administrators, school staff, and enrollment personnel regarding:

- The rights of homeless students under the McKinney-Vento Act;
- Identification procedures; and
- Implementation of the dispute resolution process.

Information about this policy and the rights of homeless students will be available on the IDEA Florida website and in enrollment materials.

9. Oversight and Review

The Homeless Liaison, in collaboration with the Chief of Staff and IDEA Florida leadership, will review this policy annually and update it as needed to ensure continued alignment with federal and state requirements.



Florida

McKinney-Vento dispute resolution process

IDEA Florida McKinney-Vento liaison:

Michelle Knapp

Michelle.knapp@ideapublicschools.org

References

- McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 et seq.)
 - National Center for Homeless Education (NCHE) – <https://nche.ed.gov>
 - Florida Department of Education Homeless Education Program
-