

# SAMPLE MCKINNEY-VENTO DISPUTE FORM

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District Liaison Name and Contact Information: \_\_\_\_\_

NE Department of Education Liaison may be reached at 402-471-2481.

## McKinney-Vento Dispute Form

**NOTE: This form would be used when a dispute arises over school enrollment/placement. LEA liaison could help complete the form.**

Child/Youth's Name: \_\_\_\_\_

Person completing form and relationship to student:  
\_\_\_\_\_

Contact information: (Address/phone/e-mail)  
\_\_\_\_\_  
\_\_\_\_\_

I am disputing the following decision because (give detailed information):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I request that the following action be taken on this dispute:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Parent/guardian or unaccompanied homeless youth's signature: \_\_\_\_\_

Date: \_\_\_\_\_

**NOTE:** The homeless child or youth shall be immediately enrolled in the school where enrollment is sought during the time such dispute is being considered.

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### For School Use

Date McKinney-Vento Dispute Resolution form was received by District Homeless Liaison.

Date: \_\_\_\_\_

**NOTE:** The district's written response and explanation of the decision regarding any dispute of a parent, guardian or other person having legal or actual charge or control of a homeless child or youth or an unaccompanied homeless youth must be given within thirty (30) calendar days of the time such complaint or dispute is brought. (NDE Rule 19, Section 005.02)

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**This is not a required form.**

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**Determination of District**

**NOTE: The homeless child or youth shall be immediately enrolled in the school where enrollment is sought during the time such dispute is being considered.**

In compliance with the McKinney-Vento Homeless Assistance Act, the following written notification and determination of the District was given to (see below) within 30 calendar days of the time such dispute was brought:

Signature of any parent, guardian or other person having legal or actual charge or control of a homeless child or youth: \_\_\_\_\_

Signature of Unaccompanied Homeless Youth: \_\_\_\_\_

Date: \_\_\_\_\_

After reviewing the information relevant to the dispute the District's determination and explanation for this determination is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Administrator's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**Notice of Right to Appeal**

If you are not satisfied with the determination on this dispute, you have the right to appeal as provided for in Nebraska Department of Education Rule 19, Sections 005.03 and 005.03C available on the Nebraska Department of Education website at:

[www.education.ne.gov/legal/webrulespdf/Clean19\\_2010.pdf](http://www.education.ne.gov/legal/webrulespdf/Clean19_2010.pdf).

The appeal is to be filed with the Commissioner of Education within 30 calendar days of receipt of this decision.

For information about the right to appeal contact: District's Homeless Liaison (contact information):

**\_\_\_\_\_ or contact**

Nebraska Department of Education Homeless Education Coordinator

Telephone: 402-471-2481

A form similar to this is required as per NDE Rule 19, Sections 005.02-005.03

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WRITTEN NOTIFICATION OF  
ENROLLMENT/PLACEMENT DECISION FOR STUDENT

Child/Youth's Name: \_\_\_\_\_

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The following written notification is provided to:

Parent/Guardian Name: \_\_\_\_\_

Unaccompanied Youth Name: \_\_\_\_\_

After reviewing the request to enroll the child/youth, the determinations are as follows:

**McKinney-Vento Act Eligibility:**

\_\_\_\_\_ Child/youth qualifies under the McKinney-Vento Act.

\_\_\_\_\_ Child/youth does not qualify under the McKinney-Vento Act. Following is the explanation of this decision.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Placement of McKinney-Vento Eligible child/youth:**

Based on the best interest of the child/youth the placement will be at:

\_\_\_\_\_

Explanation of placement (if placement is not in school of origin or the school of choice of parent/guardian or unaccompanied youth):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Administrator Signature: \_\_\_\_\_

Date Written Notification form was given to parent/guardian or unaccompanied youth: \_\_\_\_\_

Parent/Guardian or Unaccompanied Youth Signature: \_\_\_\_\_

**NOTE:** If you are not satisfied with the determinations, you have the right to use the McKinney-Vento dispute resolution process as outlined in the District Homeless Policy. Contact the District Homeless Liaison and complete the Dispute Resolution Form.

This form is not a required form.

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# Dispute Resolution Process

The process to resolve disputes concerning the enrollment or placement of a child or youth experiencing homelessness is as follows:

- a. The District will provide a written response and explanation of a decision regarding any complaint or dispute of a parent, guardian or other person having legal or actual charge or control of a homeless child or youth within thirty (30) calendar days of the time such complaint or dispute is brought. In the case of an unaccompanied youth, the District liaison will ensure that the homeless youth is enrolled immediately in the school in which enrollment is sought pending resolution of the dispute and provides notice to such youth of the right to appeal.
- b. The District will ensure the immediate enrollment of the homeless child or youth in the school in which enrollment is sought pending resolution of the dispute.
- c. The District's written response will include a notice of the right to appeal. Refer to NDE, Rule 19, Section 005.03.  
[http://www.education.ne.gov/legal/webrulespdf/Clean19\\_2010.pdf](http://www.education.ne.gov/legal/webrulespdf/Clean19_2010.pdf)

## Right to Appeal

- a. Any parent, guardian or other person having legal or actual charge or control of a homeless child or youth or an unaccompanied youth that is dissatisfied with the decision of the District after the dispute resolution process may file a written appeal with the Nebraska Commissioner of Education within thirty (30) calendar days of receipt of the decision. Refer to NDE, Rule 19, Section 005.03 for further details.  
[http://www.education.ne.gov/legal/webrulespdf/Clean19\\_2010.pdf](http://www.education.ne.gov/legal/webrulespdf/Clean19_2010.pdf)
- b. A party may appeal the decision of the Commissioner or designee by filing a Petition with the State Board of Education within thirty (30) calendar days of the receipt of the decision. Refer to NDE, Rule 19, Section 005.03C for further details.  
[http://www.education.ne.gov/legal/webrulespdf/Clean19\\_2010.pdf](http://www.education.ne.gov/legal/webrulespdf/Clean19_2010.pdf)

**Every school must have a Dispute Resolution Process that meets the McKinney-Vento Act and NDE Rule 19 guidelines.**

It is the policy of the Nebraska Department of Education not to discriminate on the basis of gender, disability, race, color, religion, marital status, age, national origin or genetic information in its education programs, administration, policies, employment or other agency programs.