

**Richmond Public Schools  
McKinney-Vento Act  
Dispute Resolution Process-  
School Selection or Enrollment**

The McKinney-Vento Act requires that a child or youth experiencing homelessness attend:

- The *school of origin*: the school that the child or youth last attended when permanently housed or the school in which the student was last enrolled, including preschool (administered by the school division) and feeder schools; or
- The *school of residency*: The school identified by the attendance zone in which the student is currently physically staying. (If students in the attendance area have additional options, the student may enroll in such an option IF there is room in the program and student meets any eligibility criteria.)

The McKinney-Vento Act requires schools to consider the school of origin as the **first** option in school enrollment upon a student qualifying for services under the McKinney-Vento Act. Parents may choose to have the student attend the school of origin or the school in the residency area where the child is currently living. Individuals who may be consulted when determining what placement is in the student's best interest include: the student experiencing homelessness, the parents or caretakers of the student, school division homeless liaisons, school principals/administrators, the student's teacher(s), homeless shelter personnel, school social workers, and school counselors.

It is the school division's responsibility to determine the school of origin and residency, and to resolve any conflict concerning the school placement focusing on the best interest of the student. Whenever possible, the school division should comply with the parent, guardian, or unaccompanied youth's wishes. If the school division and parent, guardian, or unaccompanied youth do not agree on the school assignment, Virginia's School Selection and Enrollment Dispute Resolution Process must be followed. The student should be enrolled in the school that the parent or unaccompanied youth have chosen during the resolution process. If the school of origin is determined to be the best school assignment and the school of origin is in a different school division, the local homeless education liaisons from both divisions must work together to arrange transportation.

If the student will attend the school of residency, enrollment should take place immediately.

**Investigating School Selection or Enrollment Disputes**

If RPS school staff believes that the current school assignment is not in the best interest of the student, the school staff will complete the best interest paperwork and fax or email it to the McKinney-Vento office at 819-4424 or [eschmale@rvaschools.net](mailto:eschmale@rvaschools.net).

The McKinney-Vento Office staff will attempt to resolve the dispute by consulting the family and the school. The McKinney-Vento Office staff presume that keeping the student in the school of origin is in the student's best interest unless it is contrary to the request of the parent, guardian, or unaccompanied youth.

School staff should not investigate the student's housing status. While the dispute is taking place, the student should continue to attend the school selected (that the student is eligible to attend as allowed for under the McKinney-Vento Act) by the parent, guardian, or unaccompanied youth and provide all services for which the student is eligible, pending resolution of the dispute.

### **Best Interest Determination Meeting**

Based on consultation with the school, the parent/guardian/unaccompanied youth, and the Best Interest Determination (BID) Checklist, the McKinney-Vento Specialist will determine if a BID meeting is necessary. If necessary, the liaison will schedule a BID meeting between the parent, guardian, or unaccompanied youth, the school, and the McKinney-Vento Liaison. The liaison will consult with the parent, guardian, or unaccompanied youth before scheduling the BID meeting. The parent, guardian, or unaccompanied youth will receive written notice of the meeting time and location.

#### *Written Decision*

If, following a BID and consultation with the liaison, RPS chooses to send a student to a school other than the school of origin, or the school selected by the family or unaccompanied youth, the liaison or designee shall provide the parent, guardian, or unaccompanied youth with a written explanation of the school's decision regarding school selection or enrollment within five (5) business days of the BID, including the rights of the parent, guardian, or unaccompanied youth to appeal the decision. The local homeless education liaison shall maintain a copy of such written notification.

### **Appeal to Chief**

If the parent, guardian or unaccompanied youth is not satisfied with the written decision of the liaison, they may appeal that decision to the Chief of Engagement by filing a written appeal within five (5) business days of written decision from liaison. The liaison shall ensure that the Chief receives documentation of the appeal and the response thereto.

#### *Chief Decision*

Within ten (10) business days of receiving the written appeal, the Chief of Engagement, shall provide a written decision to the parent, guardian or accompanied homeless youth including a statement of the reason therefore.

### **State Level Appeal**

If the parent, guardian, or unaccompanied youth disagrees with the school division's decision after all local appeals are exhausted, the liaison must refer the parent, guardian, or unaccompanied youth to Project HOPE-Virginia to allow the appeal to continue at the state level.

A parent, guardian or unaccompanied youth must contact Project HOPE-Virginia to appeal the school division's decision within five (5) business days of receiving the school division's written notice.

When the state coordinator, or designee, receives an appeal, he/she shall:

- inform the liaison that an appeal has been made;
- review school division records and information provided by the appealing family or unaccompanied youth to ensure proper procedures were followed;
- consult with the Project HOPE-Virginia Advisory Board, when appropriate.
- forward a recommendation to the Superintendent of Public Instruction regarding the appropriate placement for the student within five (5) business days of receiving the appeal based on the review of school division records, information from the family or unaccompanied youth, and any supplemental information obtained.

Within ten (10) business days of receiving the case and recommendation from the State Coordinator or designee, the Superintendent of Public Instruction, or designee, will make the final determination and inform the following parties:

- the family or unaccompanied youth,
- the school division(s) Superintendent(s) and liaison(s),
- the Chief of Engagement,
- the Director of Student Services, and
- Project HOPE-Virginia State Coordinator

Upon notification by the Superintendent of Public Instruction, or designee, Project Hope-Virginia staff will provide technical assistance to the school division, as needed, to comply with the final determination.