



THE PREPARATORY CHARTER SCHOOL OF MATHEMATICS, SCIENCE, TECHNOLOGY & CAREERS

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McKinney-Vento Dispute Resolution Process

Pursuant to the McKinney-Vento Act, every state must establish procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth (42 U.S.C. §11432(g)(1)(C)). These procedures ensure that LEAs comply with McKinney-Vento requirements, including immediate enrollment, written notice regarding school selection or enrollment decisions, and the right to remain in the school of choice while a dispute is being resolved (42 U.S.C. §11432(g)(2)(A)).

Level 1 – Dispute with the LEA

- If a dispute arises regarding school selection or enrollment, the child or youth must immediately be admitted to the school in which they are seeking enrollment, pending resolution (42 U.S.C. §11432(g)(3)(E)(i)).
- The parent, guardian, or unaccompanied youth should contact the LEA liaison for students experiencing homelessness as soon as possible. If the initiating party does not contact the liaison directly, the LEA must notify the liaison and refer the family or youth to them.
- The LEA liaison will:
 - Ensure immediate enrollment
 - Explain the dispute resolution process
 - Assist the family or youth in using the process
- The LEA must issue a written disposition within 20 business days after notification of the dispute. This notice must explain the basis for the decision and advise the parent, guardian, or youth of their right to appeal.
- LEAs should maintain copies of PDE’s “Notice of Procedural Safeguards” form, which:
 - Informs families of the basis for the decision
 - Notifies families of their right to remain in the school of choice pending resolution
 - Explains the procedures for challenging the decision

Level 2 – Complaint to McKinney-Vento Coordinator

- If dissatisfied with the LEA’s resolution, the parent, guardian, or unaccompanied youth may file a complaint or appeal with a McKinney-Vento site, regional, or state coordinator, or may appeal directly to a court.
- Upon receiving a complaint or appeal, the coordinator must notify the state coordinator, who will review the complaint and assign it for disposition.
- The assigned coordinator may:
 - Contact and interview individuals or LEAs involved
 - Accept documentation
 - Issue a written disposition within 20 business days
- The student will remain enrolled in the school in which they are seeking enrollment until the dispute is resolved or a disposition is issued.

Mediation

- The state coordinator may assist in mediation or refer parties to the Dispute Resolution Program operated by the Commonwealth Office of General Counsel (OGC).
- Mediation is voluntary and does not waive the right to pursue legal action.