

Michigan Department of Education
Office of Educational Supports
Homeless Education Dispute Resolution Procedure
Detailed Version
Revised September 2025

Introduction

[The McKinney-Vento \(MV\) Homeless Assistance Act](#) (also referred to as the McKinney-Vento Homeless Education Act or 42 U.S.C. Section 11431 et seq. (2015)) acknowledges that disputes may arise between the local education agency (LEA) and students experiencing homelessness, their parents, or unaccompanied homeless youth (UHY) regarding **eligibility, school selection, and/or enrollment** or a **combination of the three**. The McKinney-Vento Act includes dispute resolution among the required components of the state plan and the required duties of the LEA Homeless Education Liaison. This document addresses the requirements of Section 722(g)(1)(c) and [\(g\)\(3\)\(E\)\(i-iv\) of 42 U.S.C. Section 11431 et seq. \(2015\)](#) for resolving these disputes.

Section 722(g)(3)(E) ENROLLMENT DISPUTES - If a dispute arises over eligibility, or school selection or enrollment in a school—

- (i) the child or youth shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;
- (ii) the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the local educational agency, or the State educational agency involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions;
- (iii) the parent, guardian, or unaccompanied youth shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution procedure as described in paragraph (1)(C) as expeditiously as possible after receiving notice of the dispute; and
- (iv) in the case of an unaccompanied youth, the liaison shall ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of such dispute.

Disputes related to eligibility, school selection, and/or enrollment are initiated by:

- the LEA Homeless Education Liaison on **behalf** of the parent, guardian, or youth in the case of a UHY, or
- the parent or guardian of a child or youth experiencing homelessness, or the youth, in the case of an UHY, with the support of the LEA Homeless Education Liaison.

Dispute appeals may **not** be initiated by other LEA staff nor when the LEA Homeless Education Liaison disagrees with a determination made by another LEA Homeless Education Liaison. These circumstances are not included under the dispute process as defined in Section 722(g)(3)(E). Section 3 of this document provides a compliant process for circumstances not included in the dispute process.

MV Homeless Education Act addresses all of the following: the definition of homelessness, the responsibilities of the LEA to serve children and youth experiencing homelessness, and the explicit rights of children and youth experiencing homelessness. **Eligibility under the MV Homeless Education Act is based on the fixed, regular and adequate conditions for a student's primary nighttime residence.**

LEA Homeless Education Liaisons, parents and guardians of children and youth experiencing homelessness, and or the youth, in the case of a UHY, may seek support from the Michigan Department of Education (MDE) homeless education team led by the MDE State Coordinator for Homeless Education if disagreements arise over areas which are **not** included for dispute.

LEAs should:

- personalize the formatting and branding of the MDE Homeless Education Dispute Resolution Procedure, and
- adopt policies and processes consistent with the MDE Homeless Education Dispute Resolution Procedure that make every effort to resolve the dispute at the local level to ensure a positive relationship with the parent, family or youth is maintained.

All LEA dispute resolution policies or procedures that differ from the MDE Homeless Education Dispute Resolution Procedure must be reviewed and approved prior to use by the MDE State Coordinator for Homeless Education.

Detailed MDE Homeless Education Dispute Resolution Procedure for Local Education Agencies

Every effort must be made to resolve the dispute at the local level. If the LEA does not have an MDE-approved dispute resolution procedure and forms for documentation in place, the LEA Homeless Education Liaison **must** use the MDE Homeless Education Dispute Resolution Procedure and accompanying form throughout the dispute:

- the [MDE Dispute Resolution Procedure Sample Form](#)

Note: Each LEA is required to have a designated LEA Homeless Education Liaison, and staff in every school and the LEA central office must be able to quickly identify and refer families and UHY to the liaison. LEAs must identify the LEA Homeless Education Liaison in the [Education Entity Master](#).

Section 1 – Disputes, Appeals and Dispute Resolution

Note: *Any* variance from the MDE Homeless Education Dispute Resolution Procedure **must** be reviewed and approved **in writing** by the MDE State Coordinator for Homeless Education prior to implementation.

Step 1: The parent, guardian, or youth, in the case of a UHY, contacts the LEA Homeless Education Liaison and reports their disagreement with the one or more of the following determinations: eligibility, school selection and/or enrollment.

After determining eligibility under the MV Homeless Education Act, and completing the best interest determination, the LEA Homeless Education Liaison must provide a written explanation, and a copy of the MDE/LEA Homeless Education Dispute Resolution Procedure to the parent, guardian, or youth, in the case of a UHY. The explanation should be provided **timely**, which should not exceed 2-3 business days. Regular, documented updates to the parent, guardian, or youth, in the case of a UHY, are expected if more than 3 business days pass.

The explanation **must** include details regarding the eligibility determination, school selection, and/or enrollment presented in a manner and format that is understandable to the individual filing the dispute appeal. A sample form is provided in Addendum 1.

The parent, guardian or youth, in the case of a UHY, must contact the LEA Homeless Education Liaison to initiate a dispute appeal regarding eligibility, school selection, and/or enrollment. Contact may be made in person, by phone, email, or another written format and must be initiated within 10 business days of receipt of the written explanation.

Step 2: The LEA Homeless Education Liaison reviews the initial determinations (eligibility, school selection and/or enrollment).

The LEA Homeless Education Liaison MUST, order may vary depending on the situation:

- Ensure the student(s) is enrolled and served immediately and remains enrolled and served at the requested eligible school(s) until all levels of the dispute are resolved.
- Listen to the concerns presented by the parent, guardian, or youth, in the case of a UHY, and any additional information they may wish to provide.
- Review and confirm that the initial determination (eligibility, school selection, and/or enrollment) was consistent with the MV Homeless Education Act (42 U.S.C. Section 11431 et seq. (2015)) and/or any MDE Homeless Education Program guidance or technical assistance. If the LEA Homeless Education Liaison is made aware of additional information or discovers an inconsistency, the LEA Homeless Education Liaison may revise their initial determination and re-issue the written explanation. *(A revised determination may resolve the dispute.)*
- Consult with the MV Regional Grant Coordinator if the LEA participates in a MV Regional Grant Project, or with the MDE Homeless Education Consultant, if the LEA does not participate in a Project, regarding the details of the dispute and receive technical assistance, as needed.
- Advise (and assist) the parent, guardian, or youth, in the case of a UHY, in completing the dispute appeal in writing to the MV Regional Grant Coordinator within approximately three (3) business days following the request. If the period of time exceeds 3 business days, a detailed explanation must be documented in writing and provided to the MDE State Coordinator for Homeless Education upon request.

Step 3: The parent, guardian, or youth, in the case of a UHY, or the LEA Homeless Education Liaison acting on their behalf, submits the dispute appeal and accompanying documentation to the MV Regional Grant Coordinator for review and determination.

The parent, guardian, or youth, in the case of a UHY, or the LEA Homeless Education Liaison acting on their behalf, submits the dispute appeal and all relevant documents to the MV Regional Grant Coordinator. A sample dispute appeal form is provided in Addendum 2. Relevant documentation includes:

- a description of the situation that prompted the appeal;
- the name(s), age(s), school(s), and grades of the children/youth involved in the dispute;
- the name and current contact information for the parent, guardian, or youth, in the case of a UHY, filing the appeal;
- the name(s) and contact information of the LEA Homeless Education Liaison and all school personnel involved in the appeal;
- a timeline summarizing overall events in the appeal;
- and the written explanations provided to parent, guardian, or youth, in the case of a UHY.

Other relevant documentation may include a log of phone calls, email messages exchanged, and written documentation shared between the parent, guardian, or youth, in the case of a UHY, and the LEA Homeless Education Liaison. A sample form to support LEA Homeless Education Liaison in documenting the dispute appeal is provided in Addendum 3.

Step 4: MV Regional Grant Coordinator reviews the LEA determination regarding eligibility, school selection and/or enrollment.

The MV Regional Grant Coordinator must, order may vary depending on the situation:

- Review the concerns presented by the parent, guardian, or youth, in the case of a UHY, and any additional information they may wish to provide. This review may require an interview with the parent, guardian, or youth, in the case of a UHY.
- Review and confirm that the determination (eligibility, school selection, and/or enrollment) was consistent with the MV Homeless Education Act (42 U.S.C. Section 11431 et seq. (2015)) and/or any MDE Homeless Education Program guidance or technical assistance. If the MV Regional Grant Coordinator is made aware of additional information or discovers an inconsistency, they should consult with the LEA Homeless Education Liaison who may revise their initial determination and re-issue the written explanation. *(A revised determination may resolve the dispute.)*
- Consult with the MDE Homeless Education Consultant regarding the details of the dispute and receive technical assistance, as needed.
- Provide a written determination to all parties regarding the dispute appeal within approximately three (3) business days following the request. If the period of time exceeds 3 business days, a detailed explanation must be documented in writing and provided to the MDE State Coordinator for Homeless Education upon request. Regular, documented updates to the parent, guardian, or youth, in the case of a UHY, are expected if more than 3 business days pass. *(A determination in agreement with the parent, guardian, or youth, in the case of a UHY, may resolve the dispute.)*

Step 5: MV Regional Grant Coordinator, supports the parent, guardian, or youth, in the case of a UHY, to submit the dispute appeal to the MDE State Coordinator for Homeless Education.

The parent, guardian, or youth, in the case of a UHY, or the MV Regional Grant Coordinator acting on their behalf, submits the dispute appeal and all relevant documents to the MDE State Coordinator for Homeless Education. Relevant documentation includes:

- a description of the situation that prompted the appeal;
- the name(s), age(s), school(s), and grades of the children/youth involved in the dispute;
- the name and current contact information for the parent, guardian, or youth, in the case of a UHY, filing the appeal;
- the name(s) and contact information of the LEA Homeless Education Liaison and all school personnel involved in the appeal;
- a timeline summarizing overall events in the appeals;
- and the written explanations provided to parent, guardian, or youth, in the case of a UHY.

Other relevant documentation may include a log of phone calls, email messages exchanged, and written documentation shared between the parent, guardian, or youth, in the case of a UHY, and the LEA Homeless Education Liaison and the MV Regional Grant Coordinator. A sample form to support MV Regional Grant Coordinators in documenting the dispute appeal is provided in Addendum 3.

Step 6: MDE State Coordinator for Homeless Education reviews the determinations made by the LEA Homeless Education Liaison and MV Regional Grant Coordinator regarding eligibility, school selection and/or enrollment.

The MDE State Coordinator for Homeless Education in collaboration with the MDE homeless education team must, order may vary depending on the situation:

- Review the concerns presented by the parent, guardian, or youth, in the case of a UHY, and any additional information they may wish to provide. This review requires an interview with the parent, guardian, or youth, in the case of a UHY.
- Review and confirm that the determination (eligibility, school selection, and/or enrollment) was consistent with the MV Homeless Education Act (42 U.S.C. Section 11431 et seq. (2015)) and/or any MDE Homeless Education Program guidance or technical assistance. If the MDE State Coordinator for Homeless Education is made aware of additional information or discovers an inconsistency, they will consult with the LEA Homeless Education Liaison and MV Regional Grant Coordinator who may revise their determinations and re-issue the written explanation. *(A revised determination may resolve the dispute.)*
- Consult with the National Center for Homeless Education and/or the program office at the United States Department of Education regarding the details of the dispute and receive technical assistance, as needed.
- Provide a written determination to all parties regarding the dispute appeal within approximately three (3) business days following the request. Regular, documented updates to the parent, guardian, or youth, in the case of a UHY, are expected if more than 3 business days pass.

The final decision related to dispute appeals rests with the MDE State Coordinator for Homeless Education.

Reminder:

While the appeal is being resolved, the student(s) must remain enrolled in, attending, and fully participating in school. If the dispute concerns the school of “best interest,” the student(s) must be enrolled in the eligible school preferred by the parent, guardian, or unaccompanied youth until all levels of the appeal are resolved. Transportation is required if requested by the parent, guardian, or youth, in the case of an UHY.

Section 2: Complaints Not Related to Disputes

While there is no requirement for a formal procedure in the [McKinney-Vento \(MV\) Homeless Assistance Act](#) for filing complaints regarding Homeless Education Programs, the MDE acknowledges that situations may arise regarding situations that are “not disputable” and not covered within the MDE Homeless Education Dispute Resolution Procedure. Parents, guardians, or youth, in the case of UHY, may submit a complaint to the MDE State Coordinator for Homeless Education.

Section 3: Contact Information

Questions regarding dispute resolution procedure or complaints may be directed to:

Michelle Williams, MDE State Coordinator for Homeless Education and Special Populations Unit Manager

Section 4: MDE Definitions

Dispute: Refers to disagreement or conflict.

Dispute Appeal: Refers to the written documentation submitted for review.

Disputable Areas: Not all disagreements are eligible to be disputed under the MV Homeless Education Act. Program eligibility, enrollment at eligible schools, and/or school selection **are disputable. Transportation is not a disputable category.**

Enrollment: The terms 'enroll' and 'enrollment' include attending classes and participating fully in school activities (Section 725(1)).

Immediate Enrollment: If a dispute arises over school selection or enrollment in a school, the child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. In the case of an unaccompanied youth, the LEA Homeless Education Liaison shall ensure that the youth is immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute (Section 722(g)(3)(E)(iv)).

Note: Immediate enrollment applies to:

- the school of origin (meaning “*the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool*”, or the receiving school “*when the child or youth completes the final grade level served by the school of origin*” (Section 722(g)(3)(I)(i-ii))
- the “any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend” (Section 722(g)(3)(A)(ii)).

LEA or Local Education Agency: The Local Education Agency or LEA is another name for a school district. LEA also refers to a public school academy and an intermediate school district.

Written Explanation: The LEA must provide a written explanation of the LEA decision related to eligibility, school selection, and/or enrollment (Section 722(g)(3)(E)(ii)) after the LEA Homeless Education Liaison determines eligibility, and, if applicable, conducts the best interest determination based on consideration of the presumption in clause Section 722(g)(3)(B)(i) that the child or youth remains in the school of origin except when doing so is contrary to the request of the parent, guardian, or in the case of the UHY, the youth. The best interest determination must consider student-centered factors identified in clause Section 722(g)(3)(B)(ii) including factors related to the impact of mobility on achievement, education, health, and safety. The written explanation of the LEA decision must be provided in a manner and form understandable to the parent, guardian or youth, and must include information regarding the right to appeal the decision.

Addendum 1: Written Explanation of Determination

Homeless Education Program: Dispute Resolution Sample Forms

To be completed by the district Homeless Education Liaison following a determination of eligibility for a student under [The McKinney-Vento \(MV\) Homeless Assistance Act](#).

Date of Notification of Determination: _____

Name of District: _____

Person completing the form: _____

Full title of person completing form: District Homeless Education Liaison and _____

Phone: _____ Email: _____

Name of parent or guardian of a child or youth experiencing homelessness, or the youth, in the case of an unaccompanied homeless youth (UHY) receiving this written explanation: _____

Initials of student(s) for whom eligibility under MV was determined: _____

Check here if the student is an unaccompanied youth.

Determination for school year, _____, is: Eligible Not Eligible

This determination was based on the following information provided to the district Homeless Liaison related to the fixed, regular and adequate conditions of the primary nighttime residence of the student(s):

You have the right to appeal this decision. A dispute appeal is initiated by completing the form provided in Section 2 of this document or by contacting the district Homeless Education liaison in person, by phone, email, or another written format within 10 business days of receipt of the written explanation. Submit the dispute appeal to the district Homeless Education Liaison and/or the MV Regional Grant Coordinator, _____ (name), _____ (phone), and _____ (email).

Note:

- The student listed above has the right to enroll immediately in the eligible, requested school, pending the resolution of the dispute. Immediate enrollment applies to:
 - the school of origin (meaning “the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool”, or the receiving school “when the child or youth completes the final grade level served by the school of origin” (Section 722(g)(3)(l)(i-ii))
 - the “any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend” (Section 722(g)(3)(A)(ii)).
- You may provide written or verbal communication(s) to support your position regarding the student’s eligibility, school selection or enrollment. You may use the attached form for this notification.

If you need additional assistance with the dispute appeal beyond what is provided by the district Homeless Education Liaison, the Michigan Department of Education, Homeless Education team at 517-241-6977 or by emailing McKinney-Vento@michigan.gov.

Addendum 2: Dispute Appeal Form

Homeless Education Program: Dispute Resolution Sample Forms

Person completing the appeal form: _____

Relationship to student(s): _____

Name of district: _____

Date of appeal: _____

Date of decision being appealed: _____

Initials of student(s): _____ Grades: _____

I may be contacted at (phone or email): _____

I wish to dispute the following (check all that apply):

- Eligibility for the Homeless Education Program
- School Selection
- Enrollment

I have been provided with (please check all that apply):

- A written explanation of the eligibility determination made by the district Homeless Education Liaison
- The contact information of the district Homeless Education Liaison
- A copy of the school district or the Michigan Department of Education's Homeless Education Dispute Resolution Procedure

Provide a clear explanation of the reason(s) you wish to appeal this determination.

Provide the name of the district Homeless Education Liaison and any other district or educational staff that you are working with.

If you need additional assistance with the dispute beyond what is provided by the district Homeless Education Liaison, the Michigan Department of Education, Homeless Education team at 517-241-6977 or by emailing McKinney-Vento@michigan.gov

Addendum 3: Sample form for Information Gathering Template for Use by LEA Homeless Education Liaisons, MV Regional Grant Coordinators

Contact Information

Record the name, title, role, phone number and email address for each of the following:

Person submitting this information:

District of Origin: Superintendent LEA Homeless Education Liaison, Other personnel	District of Residence: Superintendent LEA Homeless Education Liaison Other personnel	MV Regional Grant Coordinator

Parent, guardian or advocate: _____

Student(s) name*: _____

Grade(s) of student(s)*: _____

Date of birth of student(s)*: _____

**Provide this information by phone or use only encrypted methods to securely send the information in compliance with the Family Educational Rights and Privacy Act. Delete all student names and details following the conclusion of the dispute. Replace student names with initials for historical record.*

Appeal Area: School Eligibility, School selection, Immediate enrollment (check all that apply):

- Eligibility for the Homeless Education Program
- School Selection
- Enrollment

Date and result of Best Interest Survey: _____

Date History for Appeal (receipt and response): _____

History and timeline of Primary Nighttime Residence Addresses (with dates): _____

School history (with dates): _____

Explanation/notes regarding: _____

- Eligibility Determination - Fixed, Regular & Adequate
- School Selection -Best Interest Determination
- Enrollment - Rational for denial of Immediate Enrollment

Description of the attached documentation: _____

Copy and date of denial letter: _____

Correspondence Documents & Notes (Date, Time, Caller/Emailer, Recipient, Details): _____

Relevant Citations from the MV Homeless Assistance Act: _____