

ODE Dispute Resolution Procedure for Homeless Students & Families

The Title X Homeless Education Program provides the following guidance on Dispute Resolution Procedures:

If a dispute arises over school selection or enrollment, the child/youth must be immediately admitted to the school in which he/she is seeking enrollment, pending resolution of the dispute;

The parent or guardian must be provided with a written explanation of the school's decision on the dispute, including the right to appeal;

The parent/guardian/youth must be referred to the school district homeless contact person, who will carry out the state's "Dispute Resolution" procedure (this document) as expeditiously as possible after receiving notice of the dispute; and,

In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

If eligibility, enrollment or placement disputes, or other complaints arise regarding the education of homeless children and youth, the Oregon Department of Education (ODE) Homeless Education Program recommends that:

A. The person having the complaint first contact the school or district (e.g., the local school district Liaison for homeless students, the principal, or superintendent) to present their concerns to the people closest to the situation and most likely to be able to resolve it quickly.

B. If Step A is not successful or is not possible under the circumstances, contact should be made with the ODE directly through the Education for Homeless Children and Youth Program, Office of the State Coordinator at phone number (503) 947-5781; or by email at: dona.bolt@state.or.us . During this contact, options for immediate dispute resolution will be determined.

C. Districts that make determinations on eligibility, enrollment or school placement for homeless students that conflict with the wishes of the parent or student involved are required to provide notice of the determination in writing to all parties, along with instructions on how to appeal the decision. Students are entitled to remain in their school of choice until the appeal process has reached completion. Districts are advised to include review by ODE as the final step in the appeals process.

See Also: Oregon Administrative Rule (OAR) 581-022-1940 – Appeals and Complaints. On the web at: http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_022.html

National Center on Homeless Education – Dispute Resolution Brief: <http://www.serve.org/nche/downloads/briefs/resolution.pdf>

National Center on Homeless Education – Liaison Toolkit, Appendix E http://www.serve.org/nche/downloads/toolkit/app_e.pdf