



**EAU CLAIRE**  
**AREA SCHOOL DISTRICT**

## McKinney-Vento Student Placement Dispute Form

A homeless child or youth has the right to remain at his or her school of origin (public school that the child or youth attended when permanently housed, or the public school in which the child or youth was last enrolled) or to attend any public school that other students who live in the attendance area are eligible to attend.

When a dispute arises over school placement, this form is to be completed by the parent/caregiver or unaccompanied youth. The Homeless Coordinator, in consultation with the parent/caregiver or unaccompanied youth, can also complete the form. A Homeless Coordinator can be contacted at (715) 852-3044.

Student: \_\_\_\_\_

ECASD ID: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Person filing dispute: \_\_\_\_\_

Relationship to student: \_\_\_\_\_

I may be contacted at: Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

I have been provided with a copy of the ECASD Board Policy: po5111.01 indicating the school stability for students identified as experiencing homelessness. *Check one.* ☐ Yes ☐ No

School assigned: \_\_\_\_\_

School requested: \_\_\_\_\_

Please write a brief explanation of your dispute.

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Signature \_\_\_\_\_ Date \_\_\_\_\_

PARENT/CAREGIVER OR UNACCOMPANIED YOUTH

**Return this completed form to the McKinney-Vento Program (MVP) at ECASD Administration Building.  
If turned in at the school, school staff must fax to the MVP office at (715) 852-3066.**

Note: The student will attend the requested school until the dispute is resolved.

Homeless Program Coordinator signature: \_\_\_\_\_ Date \_\_\_\_\_

A copy of the form must be given to the parent/caregiver or unaccompanied youth. The form will be faxed to both the assigned school and the requested school by the Homeless Coordinator. The parent will receive written notification of the dispute resolution within five business days.



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## Written Notification of Dispute Resolution

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

To: Parent/caregiver or unaccompanied youth \_\_\_\_\_ STUDENT NAME HERE \_\_\_\_\_

In reference to: Section 722(g)(3)(E) of the McKinney-Vento Homeless Assistance Act of 2001.

After reviewing your request to enroll the student listed above at \_\_\_\_\_ REQUESTED SCHOOL \_\_\_\_\_

School, the enrollment request is: *Check one.* ☐ Denied ☐ Accepted

This determination was based upon: \_\_\_\_\_

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

Student is assigned to \_\_\_\_\_ Start Date \_\_\_\_\_

You have the right to appeal this decision to the Wisconsin Department of Public Instruction (the procedure is attached). You may contact the State Coordinator for Homeless Education at the Wisconsin Department of Public Instruction at (608) 267-7338. You may also seek the assistance of an advocate or attorney.

Sincerely,

Director of Student Services  
Eau Claire Area School District



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## **ECASD Board Policy: po5111.01**

### **HOMELESS STUDENTS**

#### **Definitions**

Children who are identified as meeting the Federal definition of 'homeless' will be provided a free appropriate public education (FAPE) in the same manner as all other students of the District. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The District shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The District shall regularly review and revise its policies, including school discipline policies that impact homeless students, including those who may be a member of any of the Protected Classes (Policy 2260).

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include children and youth who meet any of the following criteria:

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
- C. live in emergency or transitional shelters
- D. are abandoned in hospitals
- E. have a primary night time residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, or
- F. live in a car, park, public space, abandoned building, substandard housing<sup>1</sup>, bus or train station, or similar setting

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian.

#### **School Stability**

Maintaining a stable school environment is crucial to a homeless student's success in school. To ensure stability, the District must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors. The District must:

- A. continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or
- B. enroll the student in 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.

The school of origin is the school the student attended or enrolled in when permanently housed, including a public preschool. The school of origin also includes the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin.

When determining the student's best interest, the District must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). The District also considers the school placement of siblings when making this determination.



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If the District finds that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or unaccompanied youth, the District must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

#### **Dispute Resolution**

Homeless families and youths have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, the District must follow its dispute resolution procedures, consistent with the State established procedures. If such a dispute occurs, the District will immediately enroll the homeless student in the school in which enrollment is sought pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved.

Pursuant to State, District and Board of Education policies, the District will provide the parent, guardian or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the school, District, or State, along with a written explanation of appeal rights.

The District's notice and written explanation about the reason for its decision will include, at a minimum, an explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, including 1) a description of the proposed or refused action by the school, 2) an explanation of why the action is proposed or refused, 3) a description of other options the school considered and why those options were rejected, 4) a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources, and 5) an appropriate timeline to ensure deadlines are not missed. The District must also include contact information for the Liaison and the State Coordinator, and a brief description of their roles. The District will also refer the parent, guardian or unaccompanied youth to the Liaison, who will carry out the dispute resolution process.

The District ensures that all decisions and notices are drafted in a language and format appropriate for low-literacy, limited vision readers, and individuals with disabilities. For children and youth and/or parents or guardians who are English learners or whose dominant language is not English, the District will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to Federal laws. The District will also provide electronic notices via email if the parent, guardian or unaccompanied youth has access to email followed by a written notice provided in person or sent by mail.

Legal

42 U.S.C. 11431 et seq. (McKinney - Vento Homeless Act)