



TRECA
107 N. Main St., STE 100
Marion, OH 43302
Phone: 888-828-4798
Fax: 740-389-6695

McKinney-Vento Dispute Resolution Procedure

Steps for addressing disputes regarding eligibility, school selection or enrollment:

1) If a dispute arises over eligibility, school selection or enrollment, TRECA Digital Academy will immediately enroll the child/unaccompanied youth in the school in which he/she is seeking enrollment, pending resolution of the dispute, including all appeals. [PL 107-110, Section 722(g)(3)(E)(i),(iv)]. The Act defines enrollment as "attending classes and participating fully in school activities."

2) TRECA Digital Academy staff will refer the student, parent or guardian to the TRECA Digital Academy local liaison who will initiate the dispute resolution process as quickly as possible. The local liaison will make sure that the district follows the dispute resolution process. The liaison also must ensure that unaccompanied youth receive the same rights to appeal a district's eligibility, school selection or enrollment decision as parents and guardians. The role of the TRECA Digital Academy local liaison is to assist the student, parent or guardian through the duration of the dispute resolution process. The process will be open and transparent among those involved.

3) Upon determination of eligibility, enrollment or school selection, TRECA Digital Academy will provide a written explanation of any decisions made to parents, guardians or unaccompanied youth. The written explanation will be easy to understand and free of jargon. When appropriate, the TRECA Digital Academy will translate the decision into the recipient's dominant language. At a minimum, the written explanation of how the district reached its decision regarding eligibility, school selection or enrollment will include:

- A description of the action that the district proposed or refused;
- An explanation of why the district proposed or refused the action;
- A description of any other options the district considered;
- The reasons why the district rejected any other options;
- A description of any other factors relevant to the district's decision and information related to the eligibility or best interest determination. This includes the facts, witnesses and evidence relied upon and their sources;
- Appropriate timelines to ensure any relevant deadlines are met;



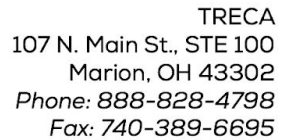
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- Contact information for the TRECA Digital Academy local liaison and state homeless education coordinator and a brief description of their roles; and
- Notice to the recipient of their right to file an appeal, including step-by-step instructions of how to file an appeal.

*Addendum 1 provides a template for the written notification of a decision.

4) The student, parent or guardian has the right to appeal any district determination of eligibility, school selection or enrollment. TRECA Digital Academy local liaison will guide the student, parent or guardian through the entire dispute resolution process. The liaison will assist in both the local and state-level appeals process, if necessary. This includes recording evidence that will be used to write an appeal if a parent, guardian or unaccompanied youth cannot do so by him or herself and providing access to school materials, such as copiers and fax machines. Addendum 2 provides a template for the written appeal of the district's eligibility, school selection or enrollment decision.

TRECA Digital Academy is a statewide virtual school acting as a one-building district. While school selection will not be an area of concern, dispute procedures are in place to address any and all disputes regarding eligibility and enrollment.



**TRECA Digital Academy's Written Notification of Eligibility,
School Selection or Enrollment Decision**

After reviewing your request regarding eligibility, school selection or enrollment in TRECA Digital Academy, the following decision has been made concerning the student/s listed above:

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Parents, guardians and youth have the following rights:

- You have the right to appeal this decision by completing the appeal form or by contacting your school district's local homeless education liaison.
- The student listed above has the right to enroll immediately or remain enrolled in the requested school pending the resolution of this dispute.
- You may provide written or verbal communication(s) to support your position regarding the student's enrollment in the requested school.
- You may seek the assistance of advocates or an attorney.
- You may contact the state coordinator for Homeless Education if further help is needed or desired. A copy of our state's dispute resolution process for students in transition is attached. The state coordinator is:

Susannah Wayland

State Homeless Education Coordinator

Phone: (614) 387-7725

Fax: (614) 387-0963

Email: HomelessEducation@education.ohio.gov



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Ohio Department of Education Dispute Resolution Process Checklist

Before filing an appeal with the Ohio Department of Education have you:

- 1) Completed your district entire local dispute resolution procedures; and
- 2) Worked with your district or local homeless liaison in completing both the local and state dispute resolution process. Your local liaison should be able to provide you with relevant information to guide you through the state-level dispute resolution process. Assistance may include a list of legal and advocacy service providers, providing the contact information for the state coordinator for Homeless Education, recording the family's experience and preparing the appeal on your behalf. Find more information regarding the roles and responsibilities of the district's local liaison in the Ohio Department of Education's McKinney-Vento Guidance.

The following is a list of steps to follow when filing an appeal with the Ohio Department of Education:

- 1) The parent or unaccompanied youth who received the decision or the local liaison shall send the appeal to the state coordinator for Homeless Education at the Ohio Department of Education. After an appeal is sent, the local liaison should follow up with a phone call to the state homeless coordinator.
- 2) The state coordinator for Homeless Education will investigate the complaint, which may include contacting those involved for additional information. After gathering the necessary information, the state coordinator for Homeless Education will present the evidence to the Ohio Department of Education.
- 3) The Ohio Department of Education will make a decision within 15 school days. The Department will provide the final decision to the district superintendent, building principal, local liaison, and parent, guardian or unaccompanied youth. The letter communicating the decision will be easy to understand and, translated to the family's dominant language. The Department's determination is final and all parties shall adhere to it.



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Addendum 2: This form is to be completed by the parent, guardian, or unaccompanied youth when they disagree with the district or decision involving McKinney-Vento eligibility, school selection, or enrollment in a school. [Parent/Student Name's] Appeal of TRECA Digital Academy's Eligibility, School Selection or Enrollment Decision

You should complete this form if you are a parent, guardian or unaccompanied youth who disagrees with your districts's decision regarding your rights under McKinney-Vento. Your local liaison will assist you with this form, and may take the information verbally if you wish.

Name of Parent(s)/Guardian(s):

Name of Student(s):

Phone number: _____ Email: _____

I wish to appeal the decision made by: _____

School(s): _____

District: _____

Please check the boxes if you have received the following materials:

- ☐ A copy of the District's Written Decision of Eligibility, School Selection or Enrollment Decision;
- ☐ The Ohio Department of Education Dispute Resolution Process; and Contact information for the local liaison.
- ☐ I disagree with the district's decision for the following reasons:



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Please check the boxes below to confirm that you understand that you are entitled to the following:

- ☐ I know that I may contact the Ohio Department of Education's Homeless Education Coordinator:

Susannah Wayland, State Homeless Education Coordinator

Phone: (614) 387-7725

Fax: (614) 387-0963

Email: HomelessEducation@education.ohio.gov

- ☐ I know that I may seek the assistance of advocates or attorneys.
- ☐ I want a copy of this written notice of appeal of school enrollment forwarded to:
State Homeless Education Coordinator HomelessEducation@education.ohio.gov
Fax: (614) 387-0963

Name: _____

Signature: _____ Date: ____/____/____

Relationship to Student (If applicable)