

Written Explanation of McKinney-Vento Determination

Directions for Completing the Written Explanation of McKinney-Vento Determination

Under the McKinney-Vento Act, Title IX, Part A, of the Every Student Succeeds Act, the following issues may be disputed and must be documented with a written explanation whenever there is a disagreement between the school and parent/guardian/youth who is seeking McKinney-Vento rights and services:

- Eligibility – a parent/guardian/youth claims homelessness and the school disputes that the living situation meets the McKinney-Vento definition; and
- School Selection/Enrollment – the parent/guardian/youth and school disagree about which school the student should attend:
 - a school of origin,
 - the school of residency, or
 - another school that students in the attendance area are eligible to attend

The Written Explanation template provides the basic information that should be included in such a written explanation. To complete the form:

- Use the drop-down boxes to select the appropriate type of dispute. If the dispute is related to school selection/enrollment, identify the school the student seeks enrollment
- Add the name of the person to whom you are providing the explanation and the students included in the decision.
- Explain the reasoning for the determination.
 - If eligibility is disputed, explain why the living situation does not meet the McKinney-Vento definition, including any facts, witnesses, and evidence relied upon and their sources.
 - If enrollment/school selection is disputed, include a summary of information collected during the Best Interest Determination. The BID may be attached to the written explanation.
- Include a date by which the parent/guardian/youth must notify the liaison that an appeal is desired. This should be based on your local dispute resolution process.
- Provide the name and contact information for the liaison and the person completing the form, if different.
- If the parent/guardian/youth has access to email, the notice should be provided electronically and followed by a written explanation provided in person or sent by mail.

This form can be modified to ensure that all decisions and notices are drafted using language and formatting appropriate for low-literacy, limited vision readers, individuals with disabilities, and English learners.

When a liaison receives an appeal, the local dispute process and the appropriate state dispute resolution process must be provided to the parent/guardian/youth. If the appeal is done verbally, the liaison should complete the second page of the written explanation for the person appealing. The liaison should provide the state coordinator with copies of the written explanation and appeal, subsequent correspondence, and BID (if appropriate) to ensure the state coordinator has the information needed to assist should the decision be appealed to the state level.

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(Highlighted text identifies drop-down boxes or text entry on actual form.)

Date:

In compliance with Sections 722(g)(3)(B)(iii) and 722(g)(3)(E) of the McKinney-Vento Act as amended by the *Every Student Succeeds Act* (Title IX, Part A, of P.L. 114-95), the following written notification addresses denial of a request for (select one from drop-down box below):

- Eligibility – the student’s living situation does not meet the definition of homeless in the McKinney-Vento Act for educational services.
- School Selection/Enrollment –
 - school of origin (Name of School) is not in the student’s best interest
 - school of residency (Name of School) is not in the student’s best interest
 - another school that students in the attendance area are eligible to attend (Name of School) is not in the student’s best interest

This notice is provided to:

Parent/Guardian/Unaccompanied Youth:

Names of Student(s) for this determination:

This determination was based upon:

If you disagree, you have the right to appeal this decision by **(date)**. You may submit the second page of this notice to the school division's local homeless education liaison or contact the liaison by phone. The liaison must provide you with the details of the dispute resolution process once an appeal is made.

Liaison's Name:

Title:

Phone number:

Email:

Person Completing Form:

Title:

School:

School Division:

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If you disagree with this decision:

- You must contact the liaison to start the appeal.
 - The student listed has the right to enroll immediately in the school of choice (based on options mandated by McKinney-Vento) once an appeal is made, pending resolution of the dispute.
 - You may explain your disagreement verbally and/or provide written documentation to support your position. You may use this form.
 - If you are an English learner, use a native language other than English, or need additional supports because of a disability, translators, interpreters, or other support services will be made available without charge in the appropriate language.
 - You may seek the assistance of advocates or attorneys.
 - You may contact Project HOPE-Virginia to discuss this decision with the Virginia State Coordinator for Homeless Education at 877-455-3412 (toll free) or 757-221-4002.
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The information below should be completed by the parent, guardian, caretaker, or unaccompanied youth to begin an appeal if there is disagreement with the determination.

This information may be shared by completing this form or speaking with the liaison.

Date Submitted:

Student(s):

Person Completing Form:

Relation to student(s):

I may be contacted at (phone or email):

I wish to appeal the decision made by (**School Division**).

I have been provided with:

- a written explanation of the school's decision
- contact information for the local homeless education liaison
- information about how to submit this appeal

Optional: You may include a written explanation to support your appeal in this space, in an attachment or provide your explanation verbally.

A copy of this form was provided to me if I requested one: (**Parent/guardian/youth signature**)