



ARIZONA DEPARTMENT OF
EDUCATION

McKinney-Vento Homeless Liaison Training

Eligibility Determinations, Best Interest Determinations (BIDs),
Managing Disputes, & Providing Written Notification

December 2023

Arizona Department of Education
(602)542-4963
homeless@azed.gov

Housekeeping Items

- A link to this recorded presentation and slides will be provided to attendees following the training.
- If you have questions, please share them in the following ways:
 - Enter simple questions into the Q&A feature or type them into the chat.
 - Save in-depth questions for after session office hours.
 - Email homeless@azed.gov with any LEA-specific questions.
- All resources referenced in this training can be located on APLD (Blackboard), the website, and in the newsletter.



Meet the Team

The Office of Homeless, Foster Care, and Refugee Education Programs



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Today's Session

Common Acronyms

SEA - State educational agency

LEA - Local educational agency

HEP - Homeless Education
Program

BID - Best interest determination

HCY - Homeless Children and
Youth

UHY - Unaccompanied Homeless
Youth

SIS - Student information system

CBO - Community-based
organization

Objective

Participants will understand requirements and necessary processes to conduct **eligibility determinations, best interest determinations** (BIDs), and **disputes** while ensuring **awareness** and **notification** throughout each process.

Pre-Assessment

Let's test your knowledge.

Pre-Assessment

1. LEAs are required to establish a Dispute Resolution procedure that includes a form for completion by the requestor.
 - a) True
 - b) False
2. The Best Interest Determination (BID) occurs only at the time of enrollment.
 - a) True
 - b) False
3. The Best Interest Determination (BID) meeting must always include the partnering LEA McKinney-Vento Homeless Liaison.
 - a) True
 - b) False



SchoolHouse
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Mindfulness Moment



SchoolHouse
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Karen Rice

Senior Program Manager, Education Initiatives
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www.schoolhouseconnection.org



STORYTELLING STRATEGIES FOR LIAISONS

serving children and
youth experiencing
homelessness



With **Karen Rice**
Senior Program Manager, Education Initiatives
SchoolHouse Connection



Share Your Knowledge

Did Karen's thoughts and recommendations **resonate** with you or **relate to your work** with students experiencing homelessness?

Please share your reaction.

Type your
answer
into the
chat!

Overview of Governing Statute



- Statutory Requirements
- Definition of Homelessness
- Key Provisions of the McKinney-Vento Act

“LEAs shall ensure that each child of a homeless individual and each homeless youth has **equal access** to the same **free, appropriate public education**, including a public preschool education, as provided to other children and youths.”

42 U.S. Code §11431 (1)

McKinney-Vento Act



“...where compulsory residency requirements or other requirements, in laws, regulations, practices, or policies, may act as a **barrier** to the **identification** of, or the **enrollment, attendance, or success** in school of, **homeless children and youths**, the (SEA) and (LEAs) in the State will **review** and undertake steps to **revise** such laws, regulations, practices, or policies to **ensure** that **homeless children and youths** are afforded the same **free, appropriate public education** as provided to other children and youths.”

42 U.S. Code §11431 (2)

McKinney-Vento Act





Legal Definition of Homeless



Fixed: Stationary, permanent, not subject to change.



Regular: Used on a predictable, routine, consistent basis.



Adequate: Lawfully and reasonably sufficient.

Does it sufficiently meet the physical and psychological needs typically met in a home environment?



Key Provisions of the McKinney-Vento Act

- Immediate enrollment, even without documents
 - Unaccompanied youth = immediate enrollment
- Eliminate barriers = ensure school policies and procedures are fair
- Dispute Resolution Process
- District Liaison assigned to every school district
- School stability
 - Transportation to school of origin

Roles & Responsibilities of LEAs



- McKinney-Vento Act
 - LEA Responsibilities
 - Liaison Responsibilities



Responsibilities of the LEA

In general, each LEA must:

- Ensure *access* to education,
- Connect families with *services*,
- Form *collaborations* with CBOs, and
- *Inform* and provide learning for all stakeholders.

Ensure a student's education may continue at their **school of origin**,

Enroll students in the same school a non-homeless student would be enrolled in,

Comply with **school stability** protocol,

Assist families in attaining **enrollment** forms and records if needed,

Manage any **disputes**,

Uphold student and family **privacy**,

Provide comparable **services** and **education** to homeless students,

Coordinate with local social service agencies, within the LEA.

Align with the **Arizona State Plan**.

42 U.S.C. § 11432 (e)(3)(C), (g)(3)



Responsibilities of the McKinney-Vento Homeless Liaison

1. Homeless youth are **identified** through outreach with other agencies;
2. Homeless youth are **enrolled** in and have full and equal opportunity to succeed in school;
3. Access to federally required resources: HeadStart and other **preschool** programs, interventions under IDEA, etc.;
4. **Referral to well-being services**: health care, dental, mental health, substance abuse, housing, etc.;
5. **Inform** families and youth of **educational opportunities** with meaningful opportunities to participate;
6. Provide understandable **public notice of educational rights** in locations frequented by homeless youth, guardians, and unaccompanied youth: schools, shelters, public libraries, soup kitchens;
7. Mediate enrollment **disputes** according to federal guidance;
8. Inform family and youth of all **transportation** services;
9. Provide **professional development** and support for all stakeholders who serve homeless students; and
10. Assist **unaccompanied youth** with: enrollment, academic access and success, and notification of “Independent” status and assistance for FAFSA.

Eligibility Determinations



- McKinney-Vento Act
- Arizona ESSA State Plan
- Unaccompanied Homeless Youth Determinations
- Early Childhood Referrals
- Sample Forms and Procedures

“LEAs must **develop, review, and revise policies** to remove **barriers** to the **identification, enrollment, and retention** of children and youth (including preschool-aged children and unaccompanied youth) experiencing homelessness in school, including barriers to enrollment (re-enrollment) and retention due to outstanding fees or fines, or absences.”

42 U.S.C. §11432(g)(1)(I)

McKinney-Vento Act

Identification and
Eligibility



“Each LEA is required to designate a Homeless Education Liaison to collaborate with school personnel and community-based organizations to identify and immediately enroll homeless students. To identify homeless students, LEAs are **required** to use either an electronic or hard copy of **THE Student Residency Questionnaire**.”

AZ ESSA State Plan, (Section K)

Arizona ESSA State Plan

Interview and Needs
Assessment





Identification Process

Why is it best practice to establish and follow a process for identification?





Student Residency Questionnaire

Homeless Education ADE Student Residency Questionnaire (Sample Form)

Information contained on this form is confidential and used to determine whether a child or youth meets the definition of homeless under the McKinney-Vento Act. The Education for Homeless Children and Youth (EHCY) program as authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411 et seq. False claims about living situations may affect enrollment.

Section A

Today's date: _____ Student Name: _____

Last School attended: _____ Current Grade: _____ Birth Date: _____

Do you have additional children attending school in our district? Yes No

Do you have preschool aged children? Yes No

Address of where the student slept last night: _____

Is this address based on a temporary living arrangement? Yes No

NOTE: If You Checked "NO," you may STOP here. If "YES," please continue to the next section.

Section B

Name of individual completing this form: _____

Your telephone number: _____ Your email Address: _____

Name of the parent/guardian/adult caring for the student: _____

Relationship to the student: _____

If the address you provided in section A is based on a temporary living arrangement, is it due to loss of housing or economic hardship? Yes No

Please place an "X" in each box that best describes where the student sleeps at night.

In a place that does not have windows, doors, running water, heat, electricity, or overcrowded

Staying with a friend or relative because of loss of housing, economic hardship, or similar reason
(Example: eviction, foreclosure, fire, flood, lost job, divorce, domestic violence, kicked out by parents, ran away from home)

In a shelter or transitional housing program (name of shelter or program): _____

In an unsheltered location (Example: tent, vehicle, abandoned building, streets, campground, park, bus/train station, or similar place)
Provide the main cross streets of this unsheltered location: _____

In a hotel/motel (name of hotel/motel) _____

With an adult that is not a parent or court appointed legal guardian

Alone, not in the care of a parent or court appointed legal guardian

None of the above (Please explain): _____

ADE Student Residency Questionnaire Sample Form 6/2023

Unaccompanied youth: Yes No Transportation needed: Yes No

ADE Student Residency Questionnaire Sample Form 6/2023

ADE Student Residency Questionnaire (Sample Form)

same place.

Name	Grade	School	District

Information provided above is accurate. False claims about living situations

Name of student: _____ Date: _____

This file should not include a copy of this form. Information about a McKinney-Vento of the child's educational record, protected under FERPA. The LEA must that school officials obtain access only to those education records in which arrests. 34 CFR §99.31(a)(1).

If Section B is completed, please notify the LEA Homeless Education to them.

enrolled the student: _____

Apply:
 sheltered/FEMA/substandard hotel/motel

- ADE requires the **Student Residency Questionnaire** be utilized to aide in identifying students at the time of enrollment.
- To ensure identification and enrollment of homeless students, LEAs are required to:
 - have a **procedure** in place to **identify** students who may be experiencing homelessness
 - use either an **electronic** or **hard copy** of the Student Residency Questionnaire.
- Upon **indication** of homelessness, all potentially eligible students are to be **immediately enrolled**.

Find this sample document and download for use at www.azed.gov/homeless



Identifying Unaccompanied Homeless Youth (UHY)

The term **unaccompanied youth** includes a homeless child or youth **not** in the **physical custody of a parent or guardian**.


Children of **all ages** (PS-12th grade) may be unaccompanied youth

An unaccompanied homeless youth is a young person who is both **homeless** (meeting McKinney-Vento definition) **and unaccompanied** (not in the physical custody of a parent or guardian).

DCS is **not involved** in any way with the child/youth.



Caregiver's Authorization Affidavit

 **Homeless Education**
ADE Caregiver's Authorization Affidavit
(Sample Form)

The information on this form is required to meet The Education for Homeless Children and Youth (EHCY) program, authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), also known as the McKinney-Vento Act. There are situations when a child or youth who is homeless may not be able to reside with their parent or guardian; however, this fact does not nullify the child's/youth's right to receive a free, appropriate public education. This form is not a legal document and solely for school contact only.

The adult "caregiver" requesting enrollment for a minor student presenting him/herself for enrollment and educational services while not in the physical custody of a parent or legal guardian shall complete this form.

By signing below, I acknowledge the following:

- I am 18 years of age or older and have agreed to fulfill the role of caregiver for the minor student named below, who is unaccompanied by a parent or legal guardian.
- I agree to make a good faith effort to encourage the minor student named below to attend school.
- I will attempt to contact the school office if I become aware that the minor student named below will not be attending school on that day(s) and share whether the absence is with or without my approval.
- I have provided the school district with proof of my residence and personal identification.
- I understand that signing this document does not make me the legal guardian of the minor student listed below nor make me financially responsible for the minor student, even if I am providing financial support to the student.
- I understand that I may choose to make educational decisions on behalf of the minor and in all other ways stand in for the authorizing party with respect to federal, state and district educational policy, including, but not limited to, accessing the minor's educational records, representing the minor in enrollment, disciplinary, curricular, special education or other matters, signing permission slips for school activities, and any other decision that facilitates the minor's educational experience.

Student Information
Name of the minor student: _____ Date of birth: _____
Last school or district the student attended: _____

Caregiver Information
Name: _____ Date of birth: _____
Home address: _____
Telephone number(s): _____ Email address: _____

General Information
Please check one and provide additional information if it is available:

The student is staying at my home address, as listed above.
 The student is staying at the following location: _____
Please check any that apply:

While I am currently helping with the care of the minor student, I do not wish to assist school officials with making education-related decisions.
 I have notified the parent(s) or other person(s) having legal guardianship of the minor of my intent to assist school officials with making education-related decisions in the best interest of the student and have received no objection.
Please provide the name and phone number for the parent: _____
 I am unable to contact the parent(s) or legal guardian(s).

For School Use Only
This form should accompany the Student Residency Questionnaire. Send the original forms to the LEA Homeless Liaison. The student's cumulative file should not include a copy of this form and you should not make copies under any circumstances.
Name of school site personnel who enrolled the student: _____

The McKinney-Vento Act includes the following provisions specific to **unaccompanied youth**:

- The right to **immediate enrollment without proof of guardianship**;
- Assistance from the local homeless education liaison (hereafter local liaison) to select a school of attendance, whether the **local attendance area school or the school of origin**;
- Receive **transportation** to and from the school of origin, if requested; and
- Ensure the prompt and fair **resolution** of any **disputes** in accordance with the **Rights of Homeless Students**.

Find this sample document and download for use at www.azed.gov/homeless



Early Childhood Referrals and Homeless Identifications

Liaisons must ensure that families, children, and youth experiencing homelessness have **access to** and **receive educational services** for which such families, children, and youths are eligible, including services through:

HeadStart and **Early HeadStart** programs,
AzEIP (Arizona Early Intervention Program),
other services under **part C of IDEA**, and
LEA administered preschool programs

“LEA’s shall - (i) implement a **coordinated system** for ensuring that homeless children and youths—

(I) are advised of the **choice** of **schools** provided in subsection (g)(3)(A); (II) are **immediately enrolled**, in accordance with subsection (g)(3)(C), in the school selected under subsection (g)(3)(A); and (III) are **promptly provided** necessary **services** described in subsection (g)(4), **including transportation**, to allow homeless children and youths to **exercise** their **choices** of **schools** under subsection (g)(3)(A).

42 U.S.C. §11432 (e)(3)(E)(i)

McKinney-Vento Act

Interview and Needs Assessment



“Upon the identification and enrollment of homeless students, **LEAs are required to assess the needs** presented by the students through locally developed **informal needs assessment tools**. To eliminate barriers for homeless students, and in consideration of the needs assessment results, all LEAs will annually develop, review, and revise policies to **increase access** to educational opportunities and academic success.”

AZ ESSA State Plan, (Section K)


Arizona ESSA State Plan

Interview and Needs Assessment





Identification Procedure and Interview

 **Homeless Education**

ADE Sample McKinney-Vento Identification Procedures for Homeless Children and Youth

First step for any enrollment is to determine if the student might be homeless.

School sites will include the Student Residency Questionnaire (SRQ) and Rights of Homeless Students in *all* enrollment methods. When requested by the parent, guardian, caregiver, or student, please provide the paper version of McKinney-Vento identification forms.

If a paper version of the SRQ is completed upon enrollment, the school office staff will evaluate the screen questions on the completed SRQ.

If the SRQ is completed through the online enrollment process, the Homeless Liaison will establish a process with their Student Information System team to receive that information.

If question #1 answered "yes," and the address listed on the SRQ is within the school boundaries enroll the student immediately and send SRQ form to McKinney-Vento office.

- Email: (email address)
- The McKinney-Vento staff will follow up with the parent, guardian, caregiver, or student to conduct an interview. The school site will receive a notification to confirm the eligibility decision.

Pay special attention the section on the SRQ that asks about youth that may not reside with a parent or legal guardian due to any of the following reasons:

- Loss of housing or economic hardship,
- Incarceration or deportation of parent/guardian
- Abandonment
- Other reason

If the form indicates this is the currently living situation for the child, utilize the Student Caregiver Affidavit, and enroll the child immediately. Then, provide this form to the Homeless Liaison along with the SRQ.

Email: (email address)

- The McKinney-Vento staff will follow up with the caregiver to conduct an interview. The school site will receive a notification to confirm the eligibility decision.


Reminder: A student who is eligible for McKinney-Vento does not need to provide:

- Affidavit of Shared Residency
- Birth certificate
- Immunization records
- Open enrollment application
- Power of Attorney (POA) or guardianship documents (for situations involving an unaccompanied youth)
- Proof of residence in Arizona or attendance area (Affidavit of Arizona Residency)
- School records from previous district, including documents related to special education services

McKinney-Vento identification overrides all other requirements.

For guidance documents related to the procedures outlined in this document, please click on the following link, [Federal Education for Homeless Children and Youths \(EHCY\) Program Profile](#).

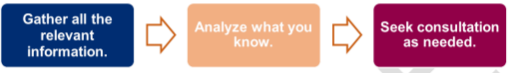
ADE Sample McKinney-Vento Identification Procedures for Homeless Children and Youth Revised 8/2023

 **Homeless Education**

ADE Sample Identification & Eligibility Interview Questions & Checklist

Each local educational agency McKinney-Vento Homeless Liaisons for homeless children and youths, designated under paragraph (1)(j)(i), shall ensure that homeless children and youth are identified by school personnel through outreach and coordination activities with other entities and agencies (42 U.S.C. §11432, (g)(6)(A)(i)).


The process of identification and eligibility determination involves three basic steps:



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graph LR; A[Gather all the relevant information.] --> B[Analyze what you know.]; B --> C[Seek consultation as needed.]
```

Each student has a unique housing situation; as a result, determinations regarding eligibility and services under the McKinney-Vento Act must be determined on a case-by-case basis for each student. Remember, McKinney-Vento Homeless Liaisons are responsible for developing rapport and trust during the interview process to facilitate the acquisition of pertinent information. In other words, it is important to allow families to share their story to ensure you are obtaining necessary details to make a proper determination. Understanding the entire scope of the situation will enable you to make a well-informed decision.

As you conduct your interview process, consider consulting with school staff and community partners to gather information about the student's situation. Staff often build a relationship with the student, or parent, and can be privy to additional details. Remember to be mindful of confidentiality requirements when collaborating, as outlined within [The Family Educational Rights and Privacy Act \(FERPA\)](#).



McKinney-Vento awareness is established by way of the McKinney-Vento Homeless Liaison offering yearly trainings to school personnel, service providers, community partners, social service agencies, and advocates.

By providing this training, the McKinney-Vento Homeless Liaison can rely on these stakeholders in the future with the referral, identification, and information gathering to support children and youth experiencing homelessness.

For additional support regarding awareness, interview process, and identification best practices, reference the [NCHE Homeless Liaison Toolkit](#) and [NCHE Brief: Identifying Children and Youth in Homeless Situations](#).

The McKinney-Vento Education for Homeless Children and Youth Act provides a definition of homelessness for children and youths to be used by state educational agencies (SEAs) and local educational agencies (LEAs). It defines homelessness for children and youth to be those who lack a fixed, regular, and adequate nighttime residence ([42 U.S.C. § 11434a\(2\)](#)).

Use the following checklists to help guide your conversation with the parent, guardian, caregiver, or student to determine if the student's living situation is considered fixed, regular, and adequate.

ADE Sample Identification & Eligibility Interview Questions & Checklist Revised 8/2023

- Establish internal and external procedures to **expedite** identifications
- Utilize the **Student Residency Questionnaire**
- Provide **training** for internal partners
- Collaborate with **community partners** to share your LEA's process for identification to enhance **identification** of HCY and UHY

Find this sample document and download for use at www.azed.gov/homeless



Identification & Eligibility Interview Questions & Checklist

Step 1 – Homeless Determination	Step 2 – Assessment of Need Planning Guide
Sections: Fixed, Regular, Adequate, & Other Considerations	Sections: Basic Supports, Educational/Academic Supports, & Additional Supports
Instructions	Instructions
<ol style="list-style-type: none">1. Conduct the interview. Take detailed notes.2. Make a determination by analyzing the student's situation as a whole.3. If the student is not determined to be homeless, complete necessary notification and documentation.4. If the student is determined to be homeless, continue to Step 2: Assessment of Need Planning Guide.	<ol style="list-style-type: none">1. Conduct the interview. Take detailed notes.2. Determine what next steps will be taken, with emphasis on addressing the high needs (H) by setting a timeline and designee responsible for addressing each need.3. Finalize documentation.

Remember, McKinney-Vento Homeless Liaisons are responsible for developing rapport and trust during the interview process, consider meeting or talking with the parent or guardian in a private space. It is important to allow families to share their story to ensure you are obtaining necessary details to make a proper determination. **Ensure they are aware of their rights and the procedure of making a homeless determination prior to beginning the interview.**

Interview Conducted By: _____ Date of Interview: _____

Persons Interviewed: _____ Relationship to Student(s): _____

Student(s) Eligible: _____

School(s) of Enrollment: _____

Find this sample document and download for use at www.azed.gov/homeless

Utilize the Identification & Eligibility Interview Questions & Checklist

- **Step 1: Homeless Determination**
 - Conduct the **interview**, take detailed **notes**, and make a **determination**.
- **Step 2: Assessment of Need Planning Guide**
 - **Assess** the student and family needs to begin **providing** and **arranging services**.



Share Your Knowledge

In your practice, how would you rank the following tasks in order of **importance/priority**?

Answer in
the poll!

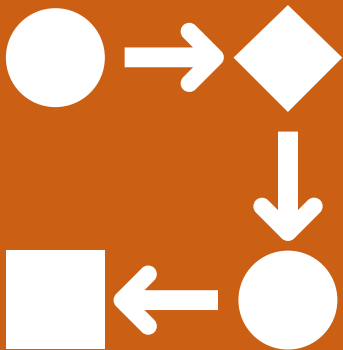


“If the first thought is ‘*Are you my kid, are you somebody else’s kid, do I have to serve you?*’ – that doesn’t lend itself to **building trust** with families, making families feel **safe** and making them feel like they have resources to **help them help their children get an education**”

Barbara Duffield, Executive Director, SchoolHouse Connection
during an [interview with St. Louis Public Radio](#)

Best Interest Determination (BID)

- Statutory Requirements
- Arizona ESSA State Plan Requirements
- Sample Forms and Procedures



“The McKinney-Vento Act strongly emphasizes the **importance** of **school stability** for homeless children and youths. Therefore, the McKinney-Vento Act calls for LEAs to **maintain** students in their **school** of **origin** to promote school stability and greater educational outcomes overall, **unless** it is **not** in the student’s **best interest**. LEAs must make **school placement determinations** on the basis of the “**best interest**” of the homeless child or youth based on **student-centered factors**.”

42 U.S.C. § 11432(g)(3)(B)]

McKinney-Vento Act

Best Interest Determination (BID)



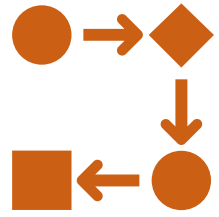
“Specific strategies that will be employed by the SEA include, ensuring LEAs make **school placement** decisions based upon the **best interests and needs** of homeless children and youth.”

AZ ESSA State Plan, (Section K)

Arizona ESSA State Plan

**Best Interest
Determination (BID)**



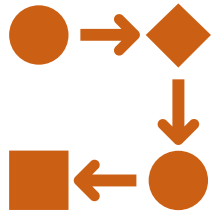


Best Interest Determination (BID) Timeline

The best interest determination is a **two-pronged approach**:

- It's utilized during the **initial eligibility** determination **and**
- May be **utilized throughout** the **school year** as the needs of the student or family change





Best Interest Determination (BID)

Who

- Student
- Parent, guardian or caregiver
- McKinney-Vento Homeless Liaison
- District personnel supporting the student
- Community agencies supporting the family or student

Where

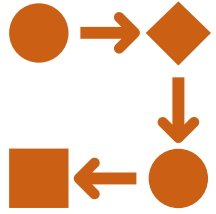
- Conduct individual meetings
- Arrange a virtual meeting or phone call
- Schedule an in-person meeting

What

- Consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety.

When

- The BID meeting should be held within a reasonable amount of time



ADE McKinney-Vento Act Best Interest Determination (BID) for School Placement

 **Homeless Education** McKinney-Vento Act Best Interest Determination for School Placement

The McKinney-Vento Act requires school districts to consider the school of origin as the first option in school enrollment. Parents may choose the school of origin or the school in the residency (the area where the child(ren) currently live (school of residency may also be referred to as local area attendance school)). Individuals who may be consulted when determining what placement is in the child(ren)'s best interest include the following:

- child(ren) or youth experiencing homelessness,
- parent, guardian, or caregiver of the child(ren) or youth,
- district/charter homeless liaison,
- school site personnel (e.g., counselor, social worker, SPED teacher, etc.), and
- homeless shelter personnel.

It is the school district's responsibility to determine the school of origin and residency, and to resolve any conflict concerning the school placement by focusing on the best interest of the child(ren). Whenever possible, the school district should comply with the wishes of the parent, guardian, caregiver, or unaccompanied homeless youth. If the school district and parent, guardian, caregiver, or unaccompanied homeless youth do not agree on the appropriate placement, the school district's Dispute Resolution Procedure must be followed. In such cases, the child(ren) should be enrolled in the school that the parent, guardian, caregiver, or unaccompanied homeless youth has chosen until the conclusion of the resolution process. If the school of origin is determined to be the best placement, the local homeless education liaisons both school of origin and local attendance area school must work together to arrange transportation.

The McKinney-Vento Act requires that a child or youth experiencing homelessness attend:

- **School of origin:** School of origin is defined as "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". Further, "when the child or youth completes the final grade level served by the school of origin, the term school of origin shall include the designated receiving school at the next grade level for all feeder schools [42 U.S.C. § 11432(g)(3)(I)]. or
- **Local attendance area school:** Local attendance area school is defined as "any public school that **enrolls** students who live in the attendance area in which the child or youth is actually living and eligible to attend" [42 U.S.C. § 11432(g)(3)(A)(ii)].

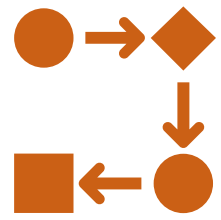
Whether the child or youth will attend the school of origin or the local attendance area school, enrollment should take place immediately.

See [42 USC CHAPTER 119, SUBCHAPTER VI, Part B, Education for Homeless Children and Youth, \(3A, 3B\)](#) for more information regarding the "Best Interest Determination".

The information collected supports the agreement in determining the school enrollment in the best interest of the child or youth experiencing **homelessness** and will provide the input required to develop a written should the parent, guardian, caregiver or youth disagree with the decision.

Find this sample document and download for use
at www.azed.gov/homeless

- The school placement decision should be a **student-centered, individualized determination**, and LEAs must **presume** that keeping the student in the **school of origin** is in the student's best interest.
- A **sample BID form** has been created for use by LEAs.
- **Written explanation** of any **decisions** related to school selection or enrollment is **required** including the **right to appeal** such decisions.



Best Interest Determination (BID) Procedure

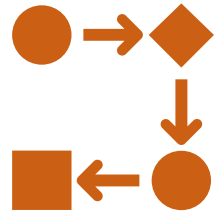
Step 1: Advise the parent of the need to conduct a BID.

Step 2: Arrange the meeting with the team (including the parent and student if necessary). Remember to employ strategies to make it as least complicated for everyone to be able to participate.

Step 3: Gather the information for assessment.

Step 4: Make a final determination on school placement

Step 5: Advise the parent, guardian, or youth of the determination verbally.



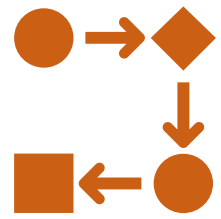
Best Interest Determination (BID) Procedure

Step 6: Provide written notification of the BID decision, include the next steps for school placement, transportation (if applicable), and information regarding the right to appeal.

Step 7: Initiate the plan. If the determination is for the student to attend the local school, assist the parent with that transition. Connect with the McKinney-Vento Homeless Liaison for the LEA and ask for support with the enrollment process and make a warm hand-off between the parent and Liaison.

Step 8: If the parent decides to file an appeal, the Liaison will assist with the Dispute Resolution process. The Liaison will continue to coordinate services to ensure continued enrollment and transportation when necessary.

Be sure to document all steps taken!



Best Interest Determination (BID) Clarification

The McKinney-Vento BID process includes **key differences** in **comparison** to the **Foster Care BID**:

- **No requirement** to **include** the **Liaison** of the LEA in the local area of attendance.
- The BID **does not** have to occur with **all individuals at the same time**.
You can gather input from each party separately.

Dispute Resolution



- Statutory Requirements
- Sample Forms and Procedures
- Recommendations

“All LEAs are required to **adopt a policy** and have **procedures** in place for resolving **disputes** regarding the eligibility, educational placement, and provision for services of children and youth identified as homeless.”

[42 U.S.C. 1432(g)(1)(C)]

McKinney-Vento Act

Dispute Resolution



“If a **dispute** arises over eligibility, school selection, or enrollment, the LEA must **immediately enroll** the homeless student in the school in which enrollment is sought, **pending final resolution of the dispute**, including all available appeals.”

42 U.S.C. § 11432(g)(3)(E)(i)

McKinney-Vento Act

Dispute Resolution



“The Arizona Department of Education Office of Homeless Education has established a **dispute resolution procedure** to ensure an opportunity for the parent / guardian / unaccompanied youth to **dispute** a **local educational agency** decision on eligibility, school selection, enrollment and transportation.

AZ ESSA State Plan, (Section K)

Arizona ESSA State Plan

Dispute Resolution





Test Your Knowledge

What are the **different levels** of dispute resolution procedures?

Select
your
answer in
the pop-
up poll!



Dispute Resolution Process

Student/Family:
LEA Level

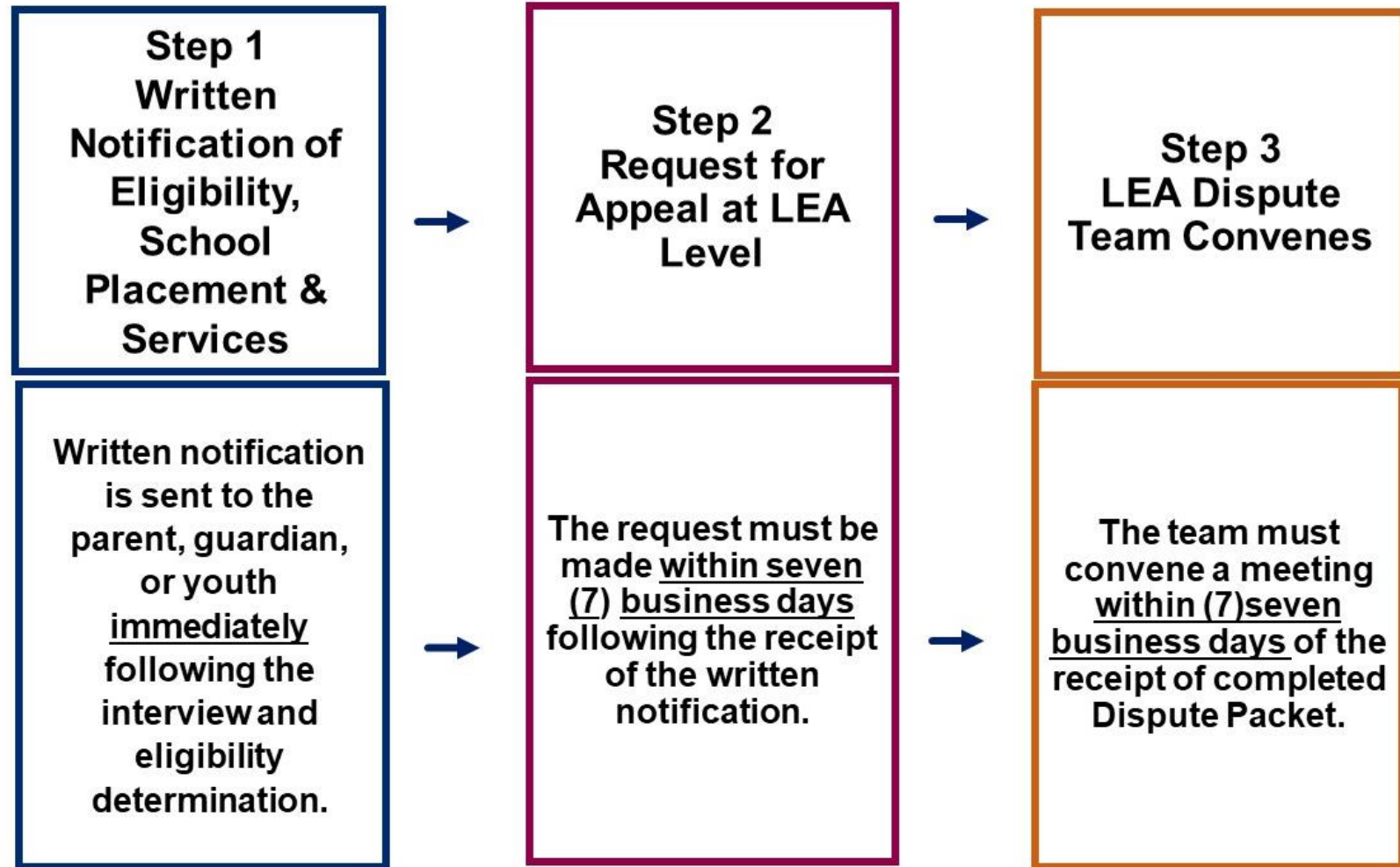
Student/Family:
SEA Level

LEA vs. LEA at
the State Level

TRANSPORTATION PROVIDED THROUGHOUT

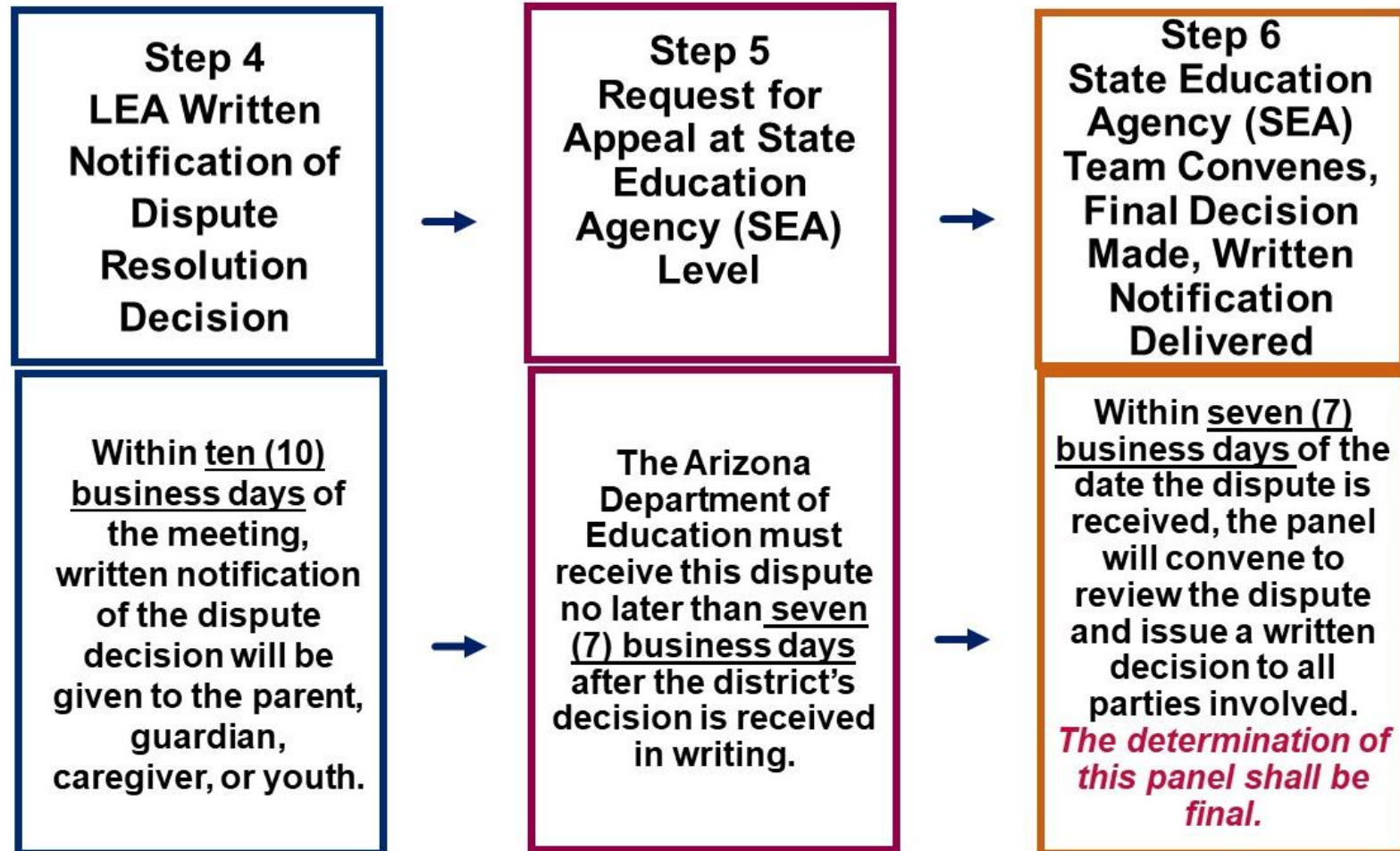


Student/Family vs. LEA Dispute Resolution Flow Chart






Student/Family vs. LEA Dispute Resolution Flow Chart





Student/Family vs. LEA Dispute Resolution Form Samples

Student/Family vs LEA Sample Dispute Resolution Procedure and Form

 **Homeless Education**

LEA-Level Dispute Resolution Procedure & Form (ADE Sample)

The McKinney-Vento Homeless Assistance Act acknowledges that disputes may arise between the school district, the student experiencing homelessness, and the student's parents/guardians. As detailed in the federal statute, the McKinney-Vento Homeless Liaison is responsible for implementing the requirements of the best interest determination process to select the school in which the student experiencing homelessness is to attend, as well as requirements pertaining to the dispute resolution process.

This **packet** is to inform you of your right and the process to file an appeal to dispute the selection of the school and services that have been arranged. Below is a list of the items included in this packet:

- Contact information for the school district's McKinney-Vento Homeless Liaison and State Coordinator.
- Timelines for resolving the LEA/Charter District and State-level appeals, along with a written step-by-step description of how to dispute the school district's decision.
- The Dispute Resolution form to be completed and returned to the McKinney-Vento Homeless Liaison (see contact information below). **Submission of this form will initiate the dispute process.**
- A copy of the Written Notification of McKinney-Vento Eligibility Decision regarding school placement, enrollment, and services.
- A copy of the Rights of Homeless Students.

Please note that the **student has the right to enroll or remain enrolled** in the requested school pending the resolution of the dispute. Upon receipt of the dispute resolution packet, the McKinney-Vento Homeless Liaison will begin the process for review. If applicable, **transportation** must be **arranged** expeditiously.

If, at any time, you have questions regarding the dispute resolution process, you can contact the district McKinney-Vento Homeless Liaison or the State Homeless Education Coordinator to assist you with the process.


Contact information for the LEA's/Charter District's McKinney-Vento Homeless Liaison and the State Homeless Education Program Coordinator

School District Name Physical Address	Arizona Department of Education State Homeless Education Program 1535 W. Jefferson Street Phoenix, AZ 85007
School District McKinney-Vento Homeless Liaison McKinney-Vento Homeless Liaison Name Phone Number Email Address	State Homeless Education Program Coordinator Rita Rodriguez (602) 542-4963 Homeless@azed.gov

Find these resources for use at www.azed.gov/homeless

Student/Family vs LEA SEA Level Dispute Resolution Procedure and Form

English (United States) ▾

 **Homeless Education**

Dispute Resolution Procedure (Student/Family vs. LEA)

Revised: 1/13/23 | Supersedes all previous versions

Attention! This form shall used AFTER the appeal process has been completed and a determination has been made at the LEA (school district) level. If you have not filed an appeal with the LEA (school district), you must request that first. Please contact your Homeless Liaison to obtain assistance.

If an agreement cannot be reached at the LEA (school district) level, **then** the student representative, or the LEA (school district) may request a review by the State Homeless Education Program Coordinator. If this situation arises, complete the following form to the Arizona Department of Education, Homeless Education Program Coordinator for consideration.

Below you will find a few options for requesting a State level Dispute Resolution. If you need assistance completing this form, you may contact your Homeless Liaison or the State Homeless Education Program Coordinator at 602-542-4963 or via email at homeless@azed.gov.

Option 1

- Complete the form online.
- Draft an email to homeless@azed.gov.
- In the subject line of the email include the following text, "Dispute Resolution-School District Name (example, Dispute Resolution-ABC School District).
- Attach a copy of the districts written decision to the email.
- Attach any additional supporting documentation necessary (optional).

“The McKinney-Vento Homeless Education Assistance Improvements Act of 2001 requires the **State Educational Agencies (SEAs)** have a procedure for the prompt **resolution** of **disputes** regarding the educational placement of homeless children and youth.”

42 U.S.C. 11432 (g)(3)(E)(i)]

McKinney-Vento Statute

LEA vs. LEA Dispute Resolution





LEA vs LEA State Level Dispute Resolution Procedure and Form



Dispute Resolution Procedure (LEA vs. LEA)

Revised: 1/13/23 | Supersedes all previous versions

This form is for LEA McKinney-Vento Liaisons. If you are not a Liaison, but are a parent, guardian, caregiver, or student wanting to file an appeal, please contact your homeless liaison for assistance with the district level appeal process.

Attention LEAs, the following form outlines the process to file a request for dispute resolution, as a dispute may occur between two LEAs regarding eligibility, school selection, enrollment, or transportation of a child or youth experiencing homelessness. Please note, if you are not the LEA homeless liaison, please consult with that appointed individual prior to submitting this form.

16. Instructions

To initiate the state level dispute resolution process, the following must occur within seven (7) workdays after receipt of the written notification of the decision made by the LEA.

The LEA must email the following items to the Arizona Department of Education, Office of Homeless Education.

Please follow these steps:

1. Draft an email to homeless@azed.gov.
2. In the subject line of the email include the following text, "Dispute Resolution-Name of your LEA".
3. Attach a copy of the LEAs written decision to the email.
4. Attach additional supporting documentation necessary (optional).

For assistance with this form, you may contact the State Homeless Education Program Coordinator at 602-542-4963.

Please initial to acknowledge you have reviewed this page. *

You can print a copy of your answer after you submit

Submit



LEA vs LEA State Level Dispute Resolution Procedure

1. To initiate the state level dispute resolution process, the following must occur within seven (7) workdays after receipt of the written notification of the decision made at the district level or inter-district decision. The LEA must submit the LEA vs LEA Dispute Resolution form found on the ADE HEP website. Then, forward the following to the Arizona Department of Education, Office of Homeless Education.
 1. A copy of the LEAs written decision
 2. Additional supporting documentation necessary (optional)
2. Upon receipt of a notice of appeal, the Homeless Education Director shall, within seven (7) workdays, convene a panel of at least two (2) Arizona Department of Education employees, including the State Coordinator for Homeless Education, Director, and an additional department employee.
3. This panel shall review the entire record of the dispute and decide what is in the best interest of the child or youth. Within seven (7) workdays of the date the panel convenes, the Arizona Department of Education will issue this decision in writing.
4. The **determination** of the panel shall be **final**.



LEA vs LEA State Level Dispute Recommendations

Convene a **meeting** with your LEA, partnering districts and CBO's.

- Include directors of pupil transportation, federal grants, all impacted district liaisons

Discuss and plan for issues involving:

- cost, responsibility, and logistics

Establish a shared transportation plan or memorandum of understanding, **before** the need occurs will prevent delays in a McKinney-Vento student's school ability to fully participate.

Review and revise your LEA's McKinney-Vento transportation **procedures** yearly to address the needs of your LEA.

Request to file an **appeal** through the SEA Dispute Resolution process.



Share Your Knowledge

What is the **next step** the Liaison must take once the **Eligibility Determination** and/or **school placement decision** (following a BID) have been made?

Write your
answer in
the chat!

“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.

42 U.S.C. §11432 (e)(3)(E)(ii)

McKinney-Vento Act

Written Notification



“The LEA provides the parent, guardian, or **unaccompanied youth** with **written notice** of the LEA’s decision regarding school selection or enrollment, as well as the right to appeal.

AZ ESSA State Plan, (Section K)


Arizona ESSA State Plan

Written Notification





Eligibility Determination & Written Notification Letter

 **Homeless Education**

Written Notification of McKinney-Vento Eligibility Decision (ADE Sample form)

(Date) _____

This letter shall serve as written notification of the decision made regarding McKinney-Vento eligibility, school selection and enrollment determination, in compliance with the McKinney-Vento Act (42 U.S.C. §11432(g)(3)(E)(ii)).

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

Name of Student(s): _____

It has been determined that your situation does qualify the student noted in this letter as McKinney-Vento Eligible based on the following:

- The student(s) qualify for McKinney-Vento services, and it is in the best interest of the student(s) to remain in the School of Origin: (Enter the school district and school name in this section.)
- The district will provide transportation. The McKinney-Vento Homeless Liaison will arrange this.
- The district will not provide transportation based on the following: (Provide details surrounding the decision.)

The student(s) qualify for McKinney-Vento services, and they are not in the physical care of a parent or legal guardian due to hardship. Furthermore, the student meets the definition of an Unaccompanied Youth.

The student(s) qualify for McKinney-Vento services, but it may not be in the best interest of the student(s) to remain at their School of Origin (Enter the school district and school name) and will be supported in enrolling in their new Local Attendance Area School (Enter the school district and school name). This determination was based upon: (Provide an explanation of the decision. If it was based on the outcome of a BIR meeting provide those details in this section, including the date.)

It has been determined that your situation does NOT qualify the student(s) noted in this letter as McKinney-Vento eligible. If your living situation changes, you may re-apply. You also have the right to appeal this decision. Contact the McKinney-Vento Homeless Liaison for assistance. The student(s) listed above has/have the right to enroll or remain enrolled in the requested school pending the resolution of the dispute. The decision was based on the following:

- The current primary nighttime residence is considered fixed, regular, and adequate.
- The current living situation reported is considered a choice or preference and not due to hardship.
- The student is in the company of a parent or legal guardian.
- Other: (Provide an explanation of the decision.)

Please see the accompanying document, **Rights of Homeless Students**, for additional information regarding our commitment to the educational rights of homeless children, youth, and unaccompanied youth.

Thank you.

McKinney-Vento Homeless Liaison Name _____
LEA/Charter District Name _____
Email address _____
Phone _____

Enclosure: Rights of Homeless Students

ADE Written Notification of Eligibility School Placement Determination 8/2023

LEAs are **required** to:

- **Provide** to parent, guardians or unaccompanied homeless youth **written notice** of decisions related to school selection or enrollment,
- Include a **detailed explanation** regarding the determination,
- Provide the written notice in a format that is **understandable** to the receiver and,
- Ensure information regarding the **right to appeal** is included.

Find this sample document and download for use at www.azed.gov/homeless

Post-Assessment

Let's test your knowledge.

Post-Assessment

1. LEAs are required to establish a Dispute Resolution procedure that includes a form for completion by the requestor.
 - a) True
 - b) False

2. The Best Interest Determination (BID) occurs only at the time of enrollment.
 - a) True
 - b) False

3. The Best Interest Determination (BID) meeting must always include the partnering LEA McKinney-Vento Homeless Liaison.
 - a) True
 - b) False

Post-Assessment Answers

1. LEAs are required to establish a Dispute Resolution procedure that includes a form for completion by the requestor.
 - a) **True**
 - b) False
2. The Best Interest Determination (BID) occurs only at the time of enrollment.
 - a) True
 - b) **False**
3. The Best Interest Determination (BID) meeting must always include the partnering LEA McKinney-Vento Homeless Liaison.
 - a) True
 - b) **False**



Closing & Next Steps

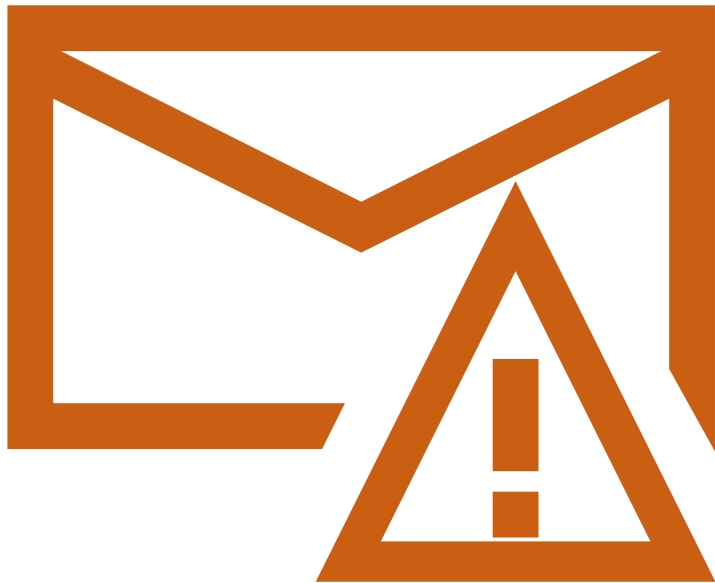
Feedback Survey & Certificates

Feedback survey

- Will only populate once you click **“Leave Meeting”**
- Must complete to receive PL certificate in APLD Blackboard

Recording and slides

- APLD session Blackboard
- HEP website



Technical Assistance

Arizona Department of Education
Homeless Education Program

(602)542-4963

homeless@azed.gov



Optional Office Hours
