

STANDARD COMPLAINT RESOLUTION PROCESS AS IT APPLIES TO DISPUTES REGARDING THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

Disagreements and disputes are to be settled as close to the point of conflict as possible. Each LEA's (Local Educational Agency) Homeless Liaison shall assist the family and school to ensure compliance with federal and state legislation and policy governing the education of children and youth experiencing homelessness.

The Homeless Liaison shall work with the appropriate school representatives to address any policies or procedures that are identified as barriers in the access to and success within a free appropriate public education. The Office of the State Coordinator of Homeless Education may be consulted at any time for technical assistance.

The Department of Elementary and Secondary Education has a complaint resolution process in place. In a case where a dispute occurs regarding the education of a homeless child or youth, the following application of that process may be used:

Level I—

LEA Level-Every effort must be made to resolve the complaint or dispute at the local level before it is brought to the Department of Elementary and Secondary Education. It is the responsibility of the LEA to inform the complainant of the LEA's Complaint Resolution Procedure when a question concerning the education of a homeless child or youth arises.

A. If a question concerning the education of a homeless child or youth arises, the first person to contact in the LEA is the Homeless Coordinator. Someone in every school or in the office of the Superintendent will be able to identify the homeless coordinator. If a complaint needs to be registered, the complainant should ask for a copy of the local complaint procedure and follow it. If the district does not have a complaint procedure in place, the following steps are suggested:

1. Discuss the complaint with the Homeless Coordinator and ask for copies of the policies that the Board of Education in the LEA has adopted concerning the education of homeless children and youth.
2. Determine if the decision causing the complaint is covered by board policy and is in line with that policy.
3. If the complaint still seems justified, present it in writing and discuss it again with the Homeless Coordinator.
4. Ask for a written proposed resolution of the complaint or plan of action within five (5) days of the date of the written complaint.

B. If the complaint is not resolved at this level within five (5) days, it may be taken to the Superintendent of the LEA. In addition to presenting the written complaint, ask for an appointment to see the Superintendent to discuss the complaint. At the end of the discussion with the Superintendent, ask for a written resolution within five (5) days of the date of the discussion.

C. If the complaint is still not resolved, it may be possible to appeal to the LEA Board of Education.

Level II—

State Level-If the complaint is not resolved in a satisfactory manner at the (LEA) local level and if it involves a state or federal program, the complaint may be brought to the Department of Elementary and Secondary Education. Complaints made under this process must be made in writing and signed by the complainant. The following steps are to be taken:

- A.** Address the complaint to the State Homeless Coordinator, Federal Programs, P.O. Box 480, Jefferson City, Missouri 65102-0480.
- B.** Include in the complaint:
 - 1. A detailed description of the dispute;
 - 2. the name(s) and age(s) of the children involved;
 - 3. the name(s) of involved LEA personnel and the LEA(s) they represent;
 - 4. a description of attempts that were made to resolve the issue at the LEA level.
- C.** The Director of Federal Programs (the director) will inform the involved LEA(s) of the complaint. The director or the director's designee will gather needed information including documentation and statements of the parties and may conduct an independent investigation through an on-site visit if necessary.
- D.** Within thirty (30) days* after receiving a complaint, the director will resolve the complaint and will inform the parties, in writing, of the decision.
- E.** If a complainant disagrees with the director's decision, the complainant may, within ten (10) working days, appeal the decision to the Missouri's Deputy Commissioner of Education. This appeal must be in writing and state why the complainant disagrees with the decision made by the director.
- F.** Within thirty (30) days** after receiving the appeal, the Deputy Commissioner of Education will render a final administrative decision and notify the complainant and all other interested parties in writing.
- G.** While the dispute is ongoing, the child(ren) or youths in question must be enrolled in school. If the dispute revolves around which school is the school of best interest the child(ren) or youths shall remain in the school they currently attend until the dispute is resolved, unless arrangements already implemented allow the child to attend the school of origin.

*The parties may mutually agree on an extension; however, every effort should be made to resolve the complaint in the shortest possible time.

**Although the standard procedure allows thirty (30) days for a response, every effort will be made to resolve the complaint in the shortest possible time.