



Missoula County Public Schools
 215 South 6th Street West
 Missoula, MT 59801
 406-728-2400
 www.mcps.k12.mt.us

Forward Thinking, High Achiever

FAMILIES IN TRANSITION (FIT) DISPUTE RESOLUTION FORM

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act, reauthorized by Title X, Part C, of the No Child Left Behind Act, ensures educational rights and protections for children and youth experiencing homelessness. Families have a right to challenge decisions on school selection made by a district or school based on eligibility determination for McKinney-Vento services. To challenge an enrollment decision, complete the below form and follow the submission directions within 30 calendar days of enrollment. If a dispute is not filed within 30 days of enrollment, the enrollment decision made by the principal at the enrolling school will go into effect.

Today's Date: _____

Student's Name: _____

Date of Birth: _____ **Grade:** _____ **School:** _____

Parent/Guardian's Name: _____

Current Address: _____

Phone Numbers: Cell: _____ **Work:** _____ **Message:** _____

Other children in household (name, school, grade and age):

Describe the issue(s) in question:

Submit this form to:

Trish Kirschten, FIT Liaison
 Missoula County Public Schools
 215 South 6th Street West
 Missoula, MT 59801
 FAX: (406) 542-4009

Date received by FIT Liaison: _____ Signature: _____

Date forwarded to Superintendent: _____ Received by: _____

Describe Resolution Results: _____

Superintendent Signature

Date

This form must be filed with:

Heather Denny
 Homeless Coordinator
 Office of Public Instruction
 PO Box 202501
 Helena, MT 59620-2501
 (406) 444-2036

Cc: Principal File
 Trish Kirschten, FIT Liaison, Missoula County Public Schools
 Julie Robitaille, Executive Regional Director, Missoula County Public Schools

Amendment to the 2002 MONTANA STATE PLAN For EDUCATION OF HOMELESS CHILDREN AND YOUTH

Approved by the U.S. Department of Education on 3/21/2013

3. Process for the prompt resolution of disputes regarding the educational placement of homeless students.

Note: If a dispute arises over school selection or enrollment, the child/student must be immediately admitted to the school in which enrollment is sought pending final resolution of the dispute.

Admission includes transportation and other school services and activities.

(A) Notice by Local Education Agency (LEA)

Every school district or LEA must have a dispute resolution policy specifically addressing the rights of homeless students to appeal placement decisions.

A written explanation of the school's decision regarding school selection or enrollment, including the right to appeal, must be provided if the parent, guardian, or unaccompanied youth disputes the school's decision. The written explanation must be complete, contain contact information for the LEA homeless liaison and SEA coordinator, the procedure for appeal, and provided in a language the parent, guardian, or unaccompanied youth can understand.

(B) LEA Homeless Liaison

In any dispute regarding enrollment or placement of a homeless youth, the school must refer the parent, guardian, or unaccompanied youth to the LEA's homeless liaison to assist in carrying out the dispute resolution as quickly as possible. The homeless liaison is responsible for ensuring that the dispute resolution process is followed for an unaccompanied youth.

(C) LEA Decision

The LEA homeless liaison is encouraged to work with the Montana Office of Public Instruction (OPI) Education of Homeless Children and Youth (EHCY) Program Coordinator as appropriate to resolve the dispute. If the dispute cannot be resolved at the local district level, the liaison shall appeal the matter to the OPI. The student must remain enrolled until final resolution of the dispute.

(D) SEA Education of Homeless Children and Youth Coordinator

Upon receipt of a completed dispute resolution form and related documentation, the State EHCY Coordinator shall, within 15 business days, convene a panel of three OPI staff to investigate and resolve the dispute. The decisions of the panel will be final. The OPI will issue a written decision to the LEA, and the parent/youth.

A [Dispute Resolution Form](#) is available for download on the OPI website for use during the dispute resolution process. Copies of the dispute resolution procedure and forms are available for school district liaisons to give to families, staff, and service providers.