



Office of ESSA-Funded Programs
89 Washington Avenue, Room 320 EB
Albany, New York 12234
Tel. (518) 473-0295 / Fax: (518) 486-1762

July 11, 2024

TO: District Superintendents
Superintendents of Public Schools
Charter School LEA Administrators
McKinney-Vento Liaisons

FROM: Erica Meaker, Director of ESSA Funded Programs

SUBJECT: LEA Requirements for Implementing McKinney-Vento Homeless Student
Dispute Resolution Process

All LEAs are required to maintain processes to promptly address disputes related to a child's eligibility under the McKinney-Vento Act, including, but not limited to, disputes regarding a student's status as a homeless child or unaccompanied youth, school selection, and transportation. At the initiation of any dispute under this process, the LEA must immediately enroll the child in the school for which enrollment is sought, pending resolution of the dispute, including all available appeals.¹

If a dispute arises about whether a student should be considered homeless under Education Law 3209, about a homeless student's choice of school, or about a homeless student's access to transportation, the LEA must issue a **written decision** to the parent, guardian, or youth that includes:

- a statement regarding the right to appeal the LEA's decision to the Commissioner with the State Education Department;
- the name, post office address, and telephone number of the McKinney-Vento Liaison; and
- the petition form used to file an appeal with the Commissioner.

¹ **Please note:** As of October 1, 2016, parents, guardians and youths are no longer required regarding ted tregaa108 0 T 3 (di)-2trr

Name of Form:	Completed by:	Given to:	Due date:	Form available at:
for full explanation)	ed youth (“the petitioner”)	or delivers the petition to the designated person who can accept service for the LEA. The LEA then sends the Petition to SED .	completed Petition to the McKinney-Vento liaison within 30 calendar days of receiving the LEA’s written decision. The	M. 521.04 2 Tw P -4P o t cmple24(521.04 2 T2 5

