

**Richmond Public Schools  
Dispute Resolution Process  
Eligibility for McKinney-Vento Services**

The McKinney-Vento Act defines homelessness as children or youth who lack a fixed, regular, and adequate nighttime residence, including children and youth:

- Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- Living in emergency or transitional shelters, or are abandoned in hospitals;
- Living in a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
- Migratory children living in the above circumstances.

Students who meet this definition of homelessness are eligible for services under the McKinney-Vento Act.

**Investigating Eligibility Disputes**

If RPS school staff suspects that a student is not eligible for services under McKinney-Vento, school staff is required to call the McKinney-Vento Office for consultation at 780-6288 while the family is still at the school.

If school staff is not able to reach the McKinney-Vento Office and the family is stating the family is homeless and is staying in the school zone, staff shall:

- Complete the McKinney-Vento Screening Form with the family and email the McKinney Vento Office ([homelessedu@rvaschools.net](mailto:homelessedu@rvaschools.net));
- Immediately enroll the student, including attending classes and participating fully in school activities;
- Email the McKinney-Vento Office ([homelessedu@rvaschools.net](mailto:homelessedu@rvaschools.net)) the reason staff believes that the student is not eligible under the McKinney-Vento Act.

McKinney-Vento staff will investigate allegations that the student is not eligible for services under McKinney-Vento. School staff **should not** investigate the student's housing status.

**Written Notice from the McKinney Vento Office about Eligibility Dispute**

If a McKinney-Vento Liaison or designee denies a student eligibility under McKinney-Vento, the McKinney-Vento Program shall provide the parent, guardian or the unaccompanied youth with a written explanation of the decision regarding eligibility, including the right to appeal the decision and the process to be followed to file the appeal.

### **Oral or Written Appeal to Chief:**

In the event that the parent, guardian or unaccompanied youth disagrees with the McKinney-Vento Program's decision regarding the student's eligibility, they shall present their appeal orally or in writing to the Chief of Engagement or designee within five (5) business days with any additional documentation and/or information.

#### *RPS Decision*

Within five (5) business days after receiving the appeal, the Chief of Engagement or designee, after reviewing information received from the McKinney-Vento liaison and information provided by the parent, guardian, or unaccompanied youth, will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore, to the parent, guardian or accompanied youth. The Chief of Engagement will also inform the Superintendent of the appeal and its resolution.

### **State Level Appeal**

If the parent, guardian, or unaccompanied youth disagrees with the school division's decision after all local appeals are exhausted, the Specialist must refer the parent, guardian, or unaccompanied youth to Project HOPE-Virginia to allow the appeal to continue at the state level.

A parent, guardian or unaccompanied youth must contact Project HOPE-VA to appeal the school division's decision within **five business days** of receiving the school division's written notice.

When the state coordinator, or designee, receives an appeal, he/she shall:

- inform the liaison that an appeal has been made;
- review school division records and information provided by the appealing family or unaccompanied youth; and
- provide the family and liaison with a determination of eligibility within **five business days**.