

## SUBCHAPTER 9. MCKINNEY-VENTO HOMELESS EDUCATION COMPLAINT GUIDELINES

### 210:40-9-1. Purpose

The following rule is a complaint resolution process recommended by the Oklahoma Department of Education (OSDE) when a dispute arises regarding the education of a homeless child or youth.

### 210:40-9-2. School District Level

Every effort must be made to resolve the complaint or dispute at the school district level before it is brought to the OSDE. It is the responsibility of the school district (the district) to inform the complainant of the district's Complaint Resolution Procedure when a question concerning the education of a homeless child or youth arises.

(1) Notify the district's homeless coordinator. The homeless coordinator serves as a liaison between the homeless child and the school the child attends. Someone in the school or in the superintendent's office will be able to identify the homeless coordinator.

(A) Request a copy of or access to the district board of education policies addressing the education of homeless children and youths and review them. Make an appointment with the homeless coordinator to discuss the complaint.

(B) If the dispute is not resolved after the initial discussion with the district's homeless coordinator, the complainant may file a complaint in writing to the district's homeless coordinator for further review.

(C) In the complaint include a request that a written proposed resolution of the dispute of a plan of action be provided within five (5) days of the date the complaint was received by the district's homeless coordinator. A review of the proposal or plan of action with the homeless coordinator should follow. The parties may mutually agree on an extension; however every effort should be made to resolve the complaint in the shortest possible time.

(2) If the dispute is not resolved at the district homeless coordinator level, the complaint may be forwarded to the superintendent of the district for review followed by a meeting with the superintendent to discuss the dispute. The complainant should request from the superintendent a written resolution within five (5) days of the date of the discussion. The parties may mutually agree on an extension; however every effort should be made to resolve the complaint in the shortest possible time.

(3) If the dispute is not resolved at the district superintendent level, the complainant may take the matter before the school district board of education for resolution.

### 210:40-9-3. State level

If the dispute is not resolved in a satisfactory manner at the school district level, the complaint may be brought to the OSDE. Complaints made under this process must be made in writing and signed by the complainant. The following steps are to be taken:

(1) Address the complaint to the State Homeless Coordinator, Oklahoma State Department of Education, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. Include in the complaint:

(A) A detailed description of the dispute

(B) The name(s) and age(s) of the children involved

(C) The name(s) of involved school district personnel and the district(s) they represent

(D) A description of attempts that were made to resolve the issue at the school district level

(2) The Team Leader of the Office of Grants Planning will inform the involved school district(s) of the complaint. The team leader or team leader'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.

(3) Within thirty (30) days after receiving a complaint and investigating the complaint, the team leader will make a determination regarding the allegations on the complaint and will inform the parties, in writing, of the decision. The parties may mutually agree on an extension; however every effort should be made to resolve the complaint in the shortest possible time.

(4) If a complainant disagrees with the decision, the complainant may, within ten (10) working days, appeal the decision to the Deputy State Superintendent of Public Instruction. This appeal must be in writing and state the reasons why the complainant disagrees with the decision.

(5) Within thirty (30) days after receiving the appeal, the Deputy State Superintendent of Public Instruction will render a final decision and notify the complainant and all other interested parties in writing. 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.

(6) While the dispute is ongoing, the child(ren) in question must be enrolled in and attending school. If the dispute revolves around which school is the school of best interest for the child, the child 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.