Educating displaced children and youth in Montana presents many unique challenges due to the nature of our state. Most of our school districts are small and rural with dedicated staff members filling multiple roles. Our communities have few resources or services designed to meet the needs of families and youth experiencing homelessness, such as emergency shelters, transitional housing, or soup kitchens. Despite these challenges, our educators and communities work tirelessly to meet the needs of Montana's most vulnerable children.

The Office of Public Instruction (OPI) provides training and technical assistance to school districts and local homeless liaisons. The OPI also provides information and awareness materials to educators, nonprofits, shelter providers, and other interested community members throughout the state of Montana.

The OPI's McKinney-Vento Program is located in the 1300 11th Avenue building, Helena, Montana, in the Federal Programs Unit. The purpose of this program is to ensure that every homeless child and youth in Montana has equal access to the same free, appropriate public education as provided to other children and youth in Montana schools.


Montana Office of Public Instruction

Justine Guthrie
State Coordinator for Homeless Education justine.guthrie@mt.gov,
406-444-2036

Zach Hawkins
Federal Grants Unit Director
Zachariah.Hawkins@mt.gov,
406-444-3083


## National Center for Homeless Education

At the SERVE Center

The National Center for Homeless Education (NCHE) provides research, resources, and information enabling communities to address the educational needs of children experiencing homelessness. Funded by the U.S. Department of Education, NCHE serves as a clearinghouse of information for people seeking to remove or overcome educational barriers and to improve educational opportunities and outcomes for children and youth experiencing homelessness. The NCHE also supports educators and service providers through producing training and awareness materials and providing training at regional and national conferences and events.

Contact the NCHE helpline at 1-305-306-8495 or NCHE.helpline@safalpartners.com. 9:00 AM to 5:30 PM ET, Monday-Friday

**District Liaison Name** Russ McDaniel

**School Name** Ulm Public School District 85

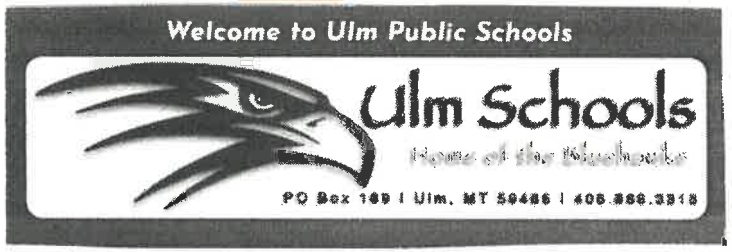
**Address** 6 Ulm Vaughn Road

**City, State, Zip** Ulm, MT 59485

**Phone** 406-866-3313

**Fax** 406-866-3209

**Email** rmcdaniel@ulmschools.com




## Montana Office of Public Instruction

# Families in Transition

**McKinney-Vento**
ESEA Title IX, Part A

Susie Hedalen
State Superintendent of Schools
Montana Office of Public Instruction
PO Box 202501
Helena, MT 59620-2501
406-444-3095
Toll-free: 1-888-231-9393

# The Montana Office of Public Instruction Families in Transition Program

## Definition of Family in Transition

The term "family in transition" refers to individuals who lack a fixed, regular, and adequate nighttime residence.

Under the law a child may qualify as homeless if he/she is:

- Living in an emergency shelter, domestic violence shelter, or transitional housing.
- Living in a motel or hotel due to economic hardship.
- Living in a car, park, public place, bus or train station, abandoned building, or other structure not meant for housing.
- Doubled up with relatives or friends due to a loss of housing, economic hardship, or a similar reason.

*Children who are not living with a parent or legal guardian may be considered a homeless, unaccompanied youth if their living situation meets one of the four definitions listed above.*

**If you or someone you know is living in one of these situations, contact your local school district for assistance with services in your school and your community.**

The Office of Public Instruction is committed to equal opportunity and non-discriminatory access to all our programs and services.

For more information or to file a complaint, contact Autumn, OPI Title IX/EEO Coordinator at 406-444-3161 or Autumn.Frey2@mt.gov

## Educational Rights of Eligible Students

### They Have Rights to:

- Immediate enrollment in school, even if the student does not have required paperwork.
- Continue attending the school in which they were enrolled when they became homeless, the last school attended, or the school closest to their temporary residence.
- Remain in the sequence of schools with their peers when homelessness is longer than one school year.
- Receive transportation to and from school.
- Automatic enrollment for free meals at school without proof of income.
- Automatic qualification for Title I services, even if the student is enrolled in a non-Title I school.
- Receive all school-based services for which they qualify.
- Participate in all programs and activities offered to other students, including athletics, music, clubs, and other extracurricular activities.
- Have their parents participate in and attend school events and activities.
- Challenge decisions on homeless status or services made by schools and districts through a dispute/grievance procedure.

## Tips for Parents

- Make sure your child arrives at school on time every day. Children who miss school miss out on important learning activities.
- Make sure your child gets eight to ten hours of sleep every night. Children who are well rested learn more.
- Read to your child every day. Reading is the key to success in school. Talk to your child's teacher or school librarian about books you can read together.
- Talk with your child's school about your living situation. Your child may qualify for additional help through other programs and resources available at the school.
- Talk to your child's teacher. The more a teacher knows about your child the more they can help them succeed.
- Get involved in your child's education. Your child's teacher and school can talk with you about how to become an active part of the school community.

# If you or your family lives in any of the following situations:

- In a homeless shelter
- In a hotel or motel
- In a campground, RV, or building that is not a home
- Doubled up with friends or relatives because you cannot find or afford housing

***Then you and your family may have certain rights or protections under the McKinney-Vento Homeless Education Assistance Act.***

## *Students, you have the right to:*

- **Go to school,** no matter where you live or how long you have lived there. You have the right to attend classes even if you don't have immunization records or a birth certificate. You must be given access to the same public education provided to other children.
- **Enroll in a school without giving a permanent address.** Schools cannot require proof of residency that might prevent or delay school enrollment.
- **Enroll in school even if you are not living with a parent or guardian.** Schools cannot require you to have a parent or guardian to sign paperwork if you are not living with them.
- **Continue in the school you attended before you became homeless** or the school you last attended.
- **Receive transportation to and from school** if you or a guardian request transportation.
- **Participate in the same special programs and services** as provided to all other students, including athletics and other extra-curricular activities.
- **You have the right to file a dispute** if you disagree with any decision about your education.

## *For help with school, do the following:*

- **Contact the district's liaison** (see phone number below) for help enrolling in a new school or continuing at the school you are now attending. The liaison can also make referrals.
- **Contact the local homeless shelter and social services office** for help with housing, medical care, food, and other support.
- **Contact the school** and provide any information you think will assist in helping the student to adjust to difficult circumstances. Needs, such as transportation, free school meals, supplies, and counseling services, should be addressed.

School Name

Ulm Public School District 85

District Liaison Name

Russ McDaniel

Phone Number of Liaison

406-866-3313

Montana Office of Public Instruction
PO Box 202501, Helena, MT 59620-2501
406-444-2036
justine.guthrie@mt.gov

September 2022

# 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.

# Families in Transition
## (McKinney-Vento Homeless Education)
# Dispute Resolution Form

This form may be completed by a parent/guardian of a student who has been identified or is requesting identification as a student experiencing homelessness, by an unaccompanied homeless youth (UHY), by an advocate acting on behalf of such persons, a district homeless liaison, or by the administrator or superintendent of a school or district.

This form should be used when there is a disagreement regarding a student's designation as "homeless" for the purposes of accessing rights and services guaranteed under Subtitle VII-B of the McKinney-Vento Act, or when there is a disagreement regarding the services to be offered to a student based on that status, including, but not limited to, transportation, participation in Title I, EL, Migrant, Special Education, or Indian Education services, or participation in school-based athletics, fine arts, career and technical education, or other school sponsored extra-curricular activities.

| | |
|---|---|
| School Name | Name & Title of Homeless Liaison |
| Address | Email and Phone Number |

| | |
|---|---|
| Name of Student (s) | Birth Date(s) and Grade Level(s) |
| Current Address | Email and Phone Number for Student (if available) |
| Name of Parent/Guardian/Caretaker (if available) | Email and Phone Number (if available) |

| |
|---|
| Briefly Describe the Dispute/Disagreement (attach additional documentation as necessary) |

Additional documentation should be attached to this form and submitted when the dispute is filed.

| | |
|---|---|
| Date Dispute Filed with Superintendent | Decision – Please attach additional documentation |
| Date Dispute Filed with School Board | Decision – Please attach additional documentation |
| Date Dispute Filed with State Coordinator | Decision – Please attach additional documentation |

**This form must be submitted to:**
**Justine Guthrie, State Coordinator for Homeless Education, justine.guthrie@mt.gov, or 406-444-2036.**