

**DISPUTE RESOLUTION PROCESS  
UNDER CONNECTICUT GENERAL STATUTES SECTION 10-186**

(1) If any Board of Education denies such accommodations, the parent or guardian of any child who is denied schooling, or an emancipated minor, a pupil eighteen years of age or older or an unaccompanied youth who is denied schooling, or an agent or officer charged with the enforcement of the laws concerning attendance at school, may, in writing request a hearing by the Board. The Board may:

- (A) conduct the hearing,
- (B) designate a subcommittee of the board composed of three board members to conduct the hearing, or
- (C) establish a local impartial hearing board of one or more persons not members of the board of education to conduct the hearing.

The Board, subcommittee or local impartial hearing board shall give such person a hearing not later than ten days after receipt of the written request, make a stenographic record or tape recording of the hearing and make a finding not later than ten days after the hearing. Hearings shall be conducted in accordance with the provisions of sections 4-176e to 4-180a, inclusive, and section 4-181a. Any child, emancipated minor, pupil eighteen years of age or older or unaccompanied youth who is denied accommodations on the basis of residency may continue in attendance in the school district at the request of the parent or guardian of such child or emancipated minor, pupil eighteen years of age or older or unaccompanied youth, pending a hearing pursuant to this subdivision. The party claiming ineligibility for school accommodations shall have the burden of proving such ineligibility by a preponderance of the evidence, except in cases of denial of schooling based on residency, the party denied schooling shall have the burden of proving residency by a preponderance of the evidence, unless the party denied schooling is claiming that he or she is a homeless child or youth, as defined in 42 USC 11434a, as amended from time to time, in which case, the party claiming ineligibility based on residency shall have the burden of proving that the party denied schooling is not a homeless child or youth by a preponderance of the evidence in accordance with the provisions of 42 USC 11431, et seq., as amended from time to time.

(2) Any homeless child or youth who is denied accommodations by a Board of Education as the result of a determination by such board, or a subcommittee of the board or local impartial hearing board, that the child is not entitled to school accommodations in the district, shall continue in attendance or be immediately enrolled in the school selected by the child in the school district pursuant to 42 USC 11432(g)(3), as amended from time to time. The Board for such school district shall (A) provide, in accordance with the provisions of 42 USC 11432(g)(3)(E)(ii), as amended from time to time, the homeless child or youth or the parent or guardian of such homeless child or youth with (i) a written explanation of the reasons for the denial of accommodations that is in a manner and form understandable to such homeless child or youth or parent or guardian, and (ii) information regarding the right to appeal the decision of the denial of accommodations pursuant to subdivision (3) of this subsection, and (B) refer, in accordance with the provisions of 42 USC 11432(g)(3)(E)(iii), as amended from time to time, the homeless child or youth or the parent or guardian of such homeless child or youth to the liaison, designated pursuant to 42 USC 11432(g)(1)(J)(ii), as amended from time to time, who is responsible for carrying out the duties described

- (3) Any such parent, guardian, emancipated minor, pupil eighteen years of age or older, unaccompanied youth, or agent or officer, aggrieved by the finding shall, upon request, be provided with a transcript of the hearing within thirty days after such request and may take an appeal from the finding to the State Board of Education. A copy of each notice of appeal shall be filed simultaneously with the local or regional board of education and the State Board of Education. Any child, emancipated minor or pupil eighteen years of age or older or unaccompanied youth who is denied accommodations by a board of education as the result of a determination by such board, or a subcommittee of the board or local impartial hearing board, that the child is not a resident of the school district and therefore is not entitled to school accommodations in the district may continue in attendance in the school district at the request of the parent or guardian of such child or such minor or pupil, pending a determination of such appeal, except any homeless child or youth shall be entitled to continue in attendance in the school district during all available appeals pursuant to 42 USC 11432(g)(2)(E). If an appeal is not taken to the State Board of Education within twenty days of the mailing of the finding to the aggrieved party, the decision of the board, subcommittee or local impartial hearing board shall be final. The local or regional board of education shall, within ten days after receipt of notice of an appeal, forward the record of the hearing to the State Board of Education. The State Board of Education shall, on receipt of a written request for a hearing made in accordance with the provisions of this subsection, establish an impartial hearing board of one or more persons to hold a public hearing in the local or regional school district in which the cause of the complaint arises. Members of the hearing board may be employees of the state Department of Education or may be qualified persons from outside the department. No member of the Board under review nor any employee of such Board of education shall be a member of the hearing board. Members of the hearing board, other than those employed by the state of Connecticut, shall be paid reasonable fees and expenses as established by the State Board of Education within the limits of available appropriations. Such hearing board may examine witnesses and shall maintain a verbatim record of all formal sessions of the hearing. Either party to the hearing may request that the hearing board join all interested parties to the hearing, or the hearing board may join any interested party on its own motion. The hearing board shall have no authority to make a determination of the rights and responsibilities of a board of education if such board is not a party to the hearing. The hearing board may render a determination of actual residence of any child, emancipated minor, pupil eighteen years of age or older or unaccompanied youth where residency is at issue.
- (4) The hearing board shall render its decision within forty-five days after receipt of the notice of appeal except that an extension may be granted by the Commissioner of Education upon an application by a party or the hearing board describing circumstances related to the hearing which requires an extension.
- (5) If, after the hearing, the hearing board finds that any child is illegally or unreasonably denied schooling, the hearing board shall order the board of education under whose jurisdiction it has been found such child should be attending school to make arrangements to enable the child to attend public school. Except in the case of a residency determination, the finding of the local or regional board of education, subcommittee of such board or a local impartial hearing board shall be upheld unless it is determined by the hearing board that the finding was arbitrary, capricious or unreasonable. If such school officers fail to take action upon such order in any

case in which such child is currently denied schooling and no suitable provision is made for such child within fifteen days after receipt of the order and in all other cases, within thirty days after receipt of the order, there shall be a forfeiture of the money appropriated by the state for the support of schools amounting to fifty dollars for each child for each day such child is denied schooling. If the hearing board makes a determination that the child was not a resident of the school district and therefore not entitled to school accommodations from such district, the board of education may assess tuition against the parent or guardian of the child or the emancipated minor or pupil eighteen years of age or older based on the following: One one-hundred-eightieth of the town's net current local educational expenditure, as defined in section 10-261, per pupil multiplied by the number of days of school attendance of the child in the district while not entitled to school accommodations provided by that district. The local board of education may seek to recover the amount of the assessment through available civil remedies.

Regulation adopted: October 16, 2003  
First reading: August 27, 2015  
Regulation revised: September 24, 2015  
Regulation revised: February 27, 2020  
Regulation revised: September 24, 2020

WATERFORD PUBLIC SCHOOLS  
Waterford, Connecticut

**Appendix B**

**SAMPLE LETTER GRANTING APPROVAL OF ENROLLMENT**

[Date]

[Name of Parent]

[Address]

Re: [Student Name] [Student D.O.B.]

Dear [Parent/Guardian]:

Thank you for discussing your current living situation with [staff member]. It is my understanding that you are residing at [address] due to [summarize situation]. In accordance with the McKinney-Vento Act, children who are considered homeless are entitled to receive services comparable to services offered to other students in that district.

This letter is to confirm that your son/daughter [student(s) name], may enroll at [school] and will be afforded all appropriate services the entire time he/she is homeless. As soon as permanent housing is obtained, please notify our office of your new address. You will have the option of remaining at [school] for the current academic year in which the permanent housing is obtained, but transportation would be your responsibility. You also have the right to choose to attend school in the district in which your permanent housing is obtained. If there are changes to your housing situation, please notify us at 860-444-5802.

Sincerely,

[Name]

Homeless Liaison / Director of Special Services

**SAMPLE LETTER WHEN PERMANENT HOUSING HAS BEEN OBTAINED**

[Date]

[Name of Parent]

[Address]

Re: [Student Name] [Student D.O.B.]

Dear [Parent/Guardian]:

Previously, you requested that your child[ren] remain enrolled in Waterford Public Schools due to a homeless situation covered under the McKinney-Vento Act. It is my understanding that your child[ren] now has a “fixed, regular and adequate nighttime residence” located at [address]. In accordance with the McKinney-Vento Act, your child[ren] may remain enrolled in Waterford Public Schools and will be afforded all appropriate services through the end of the current school year. For the [xxxx-xx] school year, you must enroll your child in the school district where you are residing.

Sincerely,

Name

Homeless Liaison / Director of Special Services

**Regulation 5100**  
**APPENDIX D**

**SAMPLE WRITTEN NOTIFICATION OF ENROLLMENT DECISION**

[Month] \_\_, 20\_\_

VIA HAND DELIVERY AND U.S. MAIL

[Insert Name of Parent]

[Insert Home Address]

Re: Notification of Enrollment Decision

Dear [Parent/Guardian or Unaccompanied Youth]:

After reviewing your request to enroll the student(s) listed above [name(s)], the enrollment request is denied. This determination is based upon the following factors:

List factors: \_\_\_\_\_

Under the McKinney-Vento Homeless Education Assistance Act, you have the right to appeal this decision by completing the form attached to this notice or by contacting the school district's homeless education liaison:

Name of Liaison: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

In addition, the student listed above has the right to immediately enroll in the school of choice pending resolution of the dispute. You may provide written or verbal evidence to support your position. You may seek the assistance of advocates or attorneys at your own expense; however, you may qualify for free legal services. To inquire about free legal assistance, please call Statewide Legal Services at 1-800-453-3320. You may also contact the state coordinator for homeless education:

Louis Tallarita, State Coordinator  
State Department of Education  
450 Columbus Boulevard  
Hartford, CT. 06103  
(860) 807-2058  
[Louis.Tallarita@ct.gov](mailto:Louis.Tallarita@ct.gov)

A copy of the dispute resolution process under section 10-186 is attached to this notice. Please contact the District Liaison listed above if you have any questions.

Sincerely,

**[Name]**

Superintendent of Schools

cc:

**APPENDIX E**

**SAMPLE NOTIFICATION OF HEARING REGARDING ENROLLMENT DISPUTE**

[Month] \_\_, 20\_\_

VIA HAND DELIVERY AND U.S. MAIL

[Insert Name of Parent or Unaccompanied Youth]

[Insert Home Address]

Re: Educational Placement

Dear [Name of Parent or Unaccompanied Youth]:

You have requested a hearing before the [town] Board of Education regarding the educational placement of--[insert name(s) of student(s)] at [name of school]. The [town] Board of Education will conduct a hearing regarding your claim on [date] at [time]. The hearing will be held at the offices of the [town] Board of Education, which are located at [insert address].

The hearing will be conducted in accordance with the provisions of Section 10-186 of the Connecticut General Statutes, a copy of which is enclosed. The hearing will be conducted in executive session, and the Board of Education will make either a tape recording or a stenographic record of the hearing. You may be represented by counsel or by an advocate, at your expense, if you so desire; however, you may qualify for free legal services. To inquire about free legal assistance, please call Statewide Legal Services at 1-800-453-3320.

Please contact the District Liaison, [insert name], if you have any questions.

Sincerely,

[Name]

Superintendent of Schools

cc: [Superintendent of Schools in which enrollment is sought, if appropriate]

**SAMPLE NOTIFICATION OF DECISION TO  
APPEAL EDUCATIONAL PLACEMENT**

This form is to be completed by the parent, guardian, caretaker, or unaccompanied youth when a dispute arises. If you need assistance in preparing this form, you may meet with the District Liaison, who can be reached at 860-444-5802.

Person completing form: \_\_\_\_\_

Relation to Student: \_\_\_\_\_

Contact Information: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I am requesting a Board of Education Hearing under Section 10-186 of the Connecticut General Statutes to appeal the enrollment decision made by [Name of District], [Name of School]. I have been provided with a written explanation of the District's decision, contact information for the District's homeless education liaison, and a copy of the Dispute Resolution Process under Connecticut General Statutes Section 10-186.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

Optional, you may also include a written explanation to support your appeal in the space below or provide your explanation verbally to the Homeless Liaison.



**WATERFORD PUBLIC SCHOOLS STUDENT RESIDENCY AFFIDAVIT**

(to be used when a student is homeless under the McKinney-Vento Act)

Name of Student: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Name of Last School Attended: \_\_\_\_\_

Location of Last School Attended: \_\_\_\_\_

I, \_\_\_\_\_ (print name), declare and affirm as follows:

I am of legal age and believe in the obligations of an oath.

I am the parent/legal guardian/caregiver of \_\_\_\_\_ (name of student) who is of school age and is seeking admission to Waterford Public Schools.

Since \_\_\_\_\_ (date), \_\_\_\_\_ (name of student) has not had a permanent home.

The student is currently staying at \_\_\_\_\_ (may list multiple addresses, if applicable). He/she has been staying there since \_\_\_\_\_ (date)

This location is: (please check one)

☐ a shelter ☐ a motel/hotel ☐ a campsite ☐ shared housing with other persons

☐ other: \_\_\_\_\_

If the location is shared housing with other persons, please specify the reason why the student is living in such housing:

Prior to staying at this location, the student was staying at: \_\_\_\_\_ from \_\_\_\_\_ (date) to \_\_\_\_\_ (date)

I regularly receive mail at: \_\_\_\_\_.

I am currently staying at the following address(es): \_\_\_\_\_.

I plan to stay at this/these location(s) until: \_\_\_\_\_ (date)

I can be reached at the following phone number: \_\_\_\_\_

I can be reached for emergencies at: \_\_\_\_\_

I authorize school district officials to contact \_\_\_\_\_ (case worker/shelter staff/other) at \_\_\_\_\_ to obtain further information in order to verify the information contained in this affidavit and in order to coordinate necessary services for the student.

I declare under penalty of perjury under the laws of Connecticut that the information provided is true and correct and of my own personal knowledge. I understand that giving false or otherwise untrue information on this form could result in a criminal charge or perjury being brought against me.

\_\_\_\_\_  
(Signature of Affiant)

Subscribed and sworn to, before me, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**WATERFORD PUBLIC SCHOOLS**  
**AFFIDAVIT FOR MISSING ENROLLMENT DOCUMENTATION**  
**PARENT FORM**

I, \_\_\_\_\_, being duly sworn upon oath and based on my personal knowledge hereby state and affirm the following information regarding (student name) \_\_\_\_\_'s missing enrollment documentation for the following:

- |  |   |
|--|---|
| <input type="checkbox"/> Proof of residency    | <input type="checkbox"/> Immunization Record  |
| <input type="checkbox"/> Proof of guardianship | <input type="checkbox"/> School Health Record |
| <input type="checkbox"/> Proof of identity     | <input type="checkbox"/> School Records       |
| <input type="checkbox"/> Birth Certificate     |   |

I am of legal age and believe in the obligations of an oath.

I am unable to present a copy of the document(s) requested above for the following reasons:

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The name and location of the last school the student attended is: \_\_\_\_\_

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I understand I must obtain the necessary immunization and health records and provide a copy to the District. I understand that the Homeless Liaison is available to assist me in obtaining any such immunization or health records. The Homeless Liaison is the Director of Special Services and can be reached at 860-444-5802.

\_\_\_\_\_  
(Signature of Affiant)

Subscribed and sworn to, before me, this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**WATERFORD PUBLIC SCHOOLS**  
**AFFIDAVIT FOR MISSING ENROLLMENT DOCUMENTATION**  
**UNACCOMPANIED YOUTH FORM**

I, \_\_\_\_\_, being duly sworn upon oath and based on my personal knowledge hereby state and affirm the following information regarding my missing enrollment documentation for the following:

- |  |   |
|--|---|
| <input type="checkbox"/> Proof of Residency    | <input type="checkbox"/> Immunization Record  |
| <input type="checkbox"/> Proof of guardianship | <input type="checkbox"/> School Health Record |
| <input type="checkbox"/> Proof of identity     | <input type="checkbox"/> School Records       |
| <input type="checkbox"/> Birth Certificate     |   |

I am unable to present a copy of the document(s) requested above for the following reasons:

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The name and location of the last school I attended is: \_\_\_\_\_

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I understand that I must obtain the necessary immunization and health records and provide a copy to the District. I understand that the Homeless Liaison is available to assist me in obtaining any such immunization or health records. The Homeless Liaison is \_\_\_\_\_ and can be reached at \_\_\_\_\_.

AFFIANT,

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Print Name of Affiant

Subscribed and sworn to before me  
This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC