16 NCAC 06H .0114 is proposed for adoption as follows:

**16 NCAC 06H .0114 DISPUTE RESOLUTION PROCESS FOR HOMELESS STUDENTS - DEFINITIONS**

(a) The State Board of Education recognizes that the interests of students are best served when disputes are resolved informally at the local level where the issues and parties are best known.

(b) As used in this Rule:

1. The terms “homeless,” “homeless child,” and “homeless student” shall mean the same as the term “homeless children and youth” as defined by 42 U.S.C. § 11434a(2). These terms shall also be deemed to include the term “unaccompanied youth”.

2. The term “unaccompanied youth” shall mean the same as defined by 42 U.S.C. § 11434a(6).

3. The term “local educational agency” (LEA) includes local school administrative units, charter schools, lab schools, regional schools, Innovative School District schools, and Innovations Zone schools.

4. The term “LEA dispute resolution process” shall refer to the LEA’s policy on resolving complaints brought by parents, guardians, or unaccompanied youth regarding students experiencing homelessness. The term shall refer to appeals processes within the LEA, prior to any appeal by the parent, guardian, or unaccompanied youth appeals to the State Coordinator.

5. The term “local liaison” shall refer to the official at each LEA, who ensures the LEA dispute resolution process for homeless children and youth is mediated in accordance with local, state, and federal policy as required by 42 U.S.C. § 11432(g)(6)(A)(vii).

6. The term “school business day” means days on which students are scheduled to be in attendance at school, according to the academic calendar adopted by the LEA.

7. The term “State Coordinator” shall refer to the staff person who carries out federally mandated duties regarding students experiencing homelessness as required by 42 U.S.C. § 11432(d)(3).

8. The term “State appeal process” shall refer to the policies the State Coordinator, LEAs, parents, guardians, and unaccompanied youth must follow when a parent, guardian, or unaccompanied youth seeks to appeal a dispute to the State Coordinator.

**History Note:** Authority G.S. 115C-12; 150B-21; 42 U.S. Code § 11431; 42 U.S. Code § 11432;

Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);