

Credit Flexibility Appeals:

The Credit Flexibility state-approved policy requires each school district to adopt and implement an appeals process at the local level. This is designed to provide a means for a student/parent to seek redress in the event that a request to access Credit Flexibility is denied or significantly altered by the school district, or a satisfactory completion of an approved student Credit Flexibility Plan was not achieved.

The state will entertain appeals from district level hearings. To do so the following steps must be followed:

1. A formal district level appeal of a local school decision must first be conducted.
2. A formal request from the student/parent to hear an appeal of the district level hearing outcome must be submitted in writing (1) stating the nature of the appeal, (2) the date of the district level appeal, (3) the name and contact information of the district level hearing officer, and (4) the desired resolution of the state appeal. **This must be submitted to the ODE hearing officer within fifteen days of the district's decision.**
3. **Within fifteen days of receiving the request for an appeal, the state hearing officer** will request from the district level hearing officer a written summary of the district level appeal hearing. It must include, (1) the nature (subject) of the appeal, (2) the name(s) of the student/parent and school district personnel (and community mentors) involved in the appeal, (3) the date and location of the hearing, (4) the final outcome of the appeal and (5) the rationale for the decision based on the district approved Credit Flexibility Plan. **This data is due to the state hearing officer within fifteen days after ODE's receipt of the appeal request.**

Note: The State will NOT entertain any appeal that has not first been fully adjudicated at the district level.

4. The State will review the appeal based on compliance with the district Credit Flexibility Plan and **the fundamental requirements** of procedural due process. The State will NOT review the quality of the district Credit Flexibility Plan, but will only review the facts of the appeal based on compliance with the board-approved plan and a review of how procedural due process was followed. **A final decision from the state will be rendered within 30 days of receiving all pertinent information.**

5. Following a thorough review of the district level hearing summary, the State will issue a finding in writing and inform both the student/parent and school district of that decision.