

Indiana Department of Education
Choice Scholarship Program Policy Instruction

Termination and Appeal Procedures for Choice Eligible Schools

PURPOSE To establish procedures used by the Indiana Department of Education, Office of School Finance when terminating a Choice Eligible School from participation in the Choice Scholarship Program (CSP).

SCOPE Eligible schools participating in the Choice Scholarship Program (CSP).

DESCRIPTION An eligible school shall be afforded the right to a fair hearing prior to any action to terminate eligibility as a Choice Scholarship Program Eligible School. When a seriously deficient eligible school has failed to complete corrective action during the allotted period of time, the following procedure will be used by the Indiana Department of Education, Office of School Finance, to disqualify a Choice eligible school:

1. The eligible school will be sent a *Notice of Intent to Terminate Eligibility*, which will inform the eligible school of its right to request an appeal.
2. The Notice will include the reasons for the intended action, the dates by which corrective action was to have been achieved, and the date by which the eligible school will be considered disqualified.
3. The eligible school will have thirty days to request an appeal of the Department's determination. If no request is made by the eligible school within the allotted time, the Department will proceed with the determination to disqualify the eligible school as a Choice Scholarship eligible school.
4. If a timely request to appeal is made, a neutral hearing examiner will be appointed to conduct an impartial and independent review of the Department's determination to disqualify the eligible school. The review will occur by way of a closed hearing¹ in which the Department and the eligible school may present testimonial and documentary evidence.

¹ The Family Education Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that provides guidelines to state and local educational agencies regarding protection and release of student education record information. Due to the protections of this law, all hearings conducted will be closed.