



Department of Defense Education Activity

PROCEDURAL GUIDE

NUMBER 15-PGED-013

DATE Dec. 10, 2015

EDUCATION DIVISION

SUBJECT: Graduation Requirements and Policy – Appellate Rights

References: DoDEA Administrative Instruction 2000.01, "High School Graduation Requirements and Policy," September 5, 2014

1. **PURPOSE.** This Procedural Guide:

a. Clarifies the process by which a parent, sponsor, or student (aged 18 or older) may appeal a decision made in the administration of Administrative Instruction 2000.1, High School Graduation Requirements and Policy.

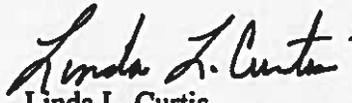
b. Provides guidance to the Department of Defense Education Activity (DoDEA) officials. However, it is not intended to and does not create any right or benefit, substantive or procedural, enforceable by law.

2. **APPLICABILITY.** This Procedural Guide applies to the Office of the Director, DoDEA; the Director, Domestic Dependent Elementary and Secondary Schools, and the Department of Defense Dependents Schools, Cuba (DDESS/DoDDS-Cuba); the Director, Department of Defense Dependents Schools, Europe (DoDDS-E); the Director, Department of Defense Dependents Schools, Pacific, and the Domestic Dependent Elementary and Secondary Schools, Guam (DoDDS-P/DDESS-Guam) (hereafter collectively referred to as "DoDEA Area Directors"); and all DoDEA District Superintendents, School Administrators, Teachers, and Support Staff.

3. **RESPONSIBILITIES.** See Enclosure 1.

4. **PROCEDURES.** See Enclosure 2.

5. **EFFECTIVE DATE.** This Procedural Guide is effective immediately.



Linda L. Curtis
Principal Deputy Director and
Associate Director of Academics

Enclosures

1. Responsibilities
2. Procedures

ENCLOSURE 1

RESPONSIBILITIES

1. **DODEA AREA DIRECTORS.** The DoDEA Area Directors shall:
 - a. Ensure compliance with the provisions of this Procedural Guide.
 - b. Brief major commands, through Area Advisory Councils, on this Procedural Guide to ensure that senior military commanders and community leaders are informed and understand the educational and postsecondary benefits of the procedures within.

2. **DODEA DISTRICT SUPERINTENDENTS.** The DoDEA District Superintendents shall:
 - a. Exercise general supervisory control of parent, sponsor, or student (aged 18 or older) appellate rights within their district, as described in this Procedural Guide.
 - b. Ensure that the appellate process is consistently implemented in all secondary schools.

3. **DODEA HIGH SCHOOL PRINCIPALS.** The DoDEA High School Principals shall:
 - a. Exercise general supervisory control of the appellate process within their school, as described in this Procedural Guide.
 - b. Ensure that the appropriate school staff members (e.g., school counselor, registrar, etc.) have received the necessary training in implementation of the guidance provided herein.

ENCLOSURE 2

PROCEDURES

1. Appellate Rights.

a. Conditions of Appeal.

(1) A parent, sponsor, or student (aged 18 or older) may appeal a decision made that implements the student's high school graduation requirements and/or applicable policies (See Reference, Enclosure 7).

(2) Examples of conditions for appeal include, but are not limited to, granting or denying course credit and grades previously taken in a non-DoDEA school system (to be listed on the student's official DoDEA high school transcript), establishing minimum graduation requirements for the student's anticipated year of high school graduation to receive the standard diploma, or interpretations pertaining to the Interstate Compact.

b. Submission of Appeal.

(1) The appeal must be submitted in writing to the next higher level official (e.g., District Superintendent, Area Director), with a copy to the deciding official by the parent, sponsor, or student (aged 18 or older) no later than 10 days after the written notice of a decision was provided by the local school official (e.g., High School Principal or District Superintendent).

(2) The appeal request should include relevant details and a statement why the appeal is being requested. Supplemental documentation that supports the basis of the appeal may also be submitted.

(a) For example, a student/parent may appeal a principal's decision to deny course and credit earned from a non-accredited education program taken during the student's 9th and 10th grade years while home schooled.

(b) The appeal documentation should include: 1) a copy of the decision; 2) a written statement from the parent, sponsor, or student (aged 18 or older), stating why the decision should be reversed; and 3) a copy of the home school program's official school transcript.

(3) The appeal may be hand delivered, mailed, or scanned and emailed to the next higher level school official as "Attention: School Appeal Review."

(4) Upon receipt of an appeal to be filed with the appellate authority, who is the next higher-level official (e.g., District Superintendent, Area Director), the deciding official (e.g., High School Principal or District Superintendent) will assemble and forward within 24 hours a copy of the relevant documents (in addition to those provided by the parent, if any) that the initial decision official reviewed in reaching his or her decision.

(5) The decision of the next higher level official (e.g., District Superintendent, Area Director) on an appeal results in a decision that is final and not appealable. For instance, a school principal's decision that is appealed to the District Superintendent results in a District Superintendent's decision that is final and non-appealable. A decision made by a District Superintendent and appealed to the Area Director is final and may not be further appealed.

(a) For example, a school principal reviews a student's incoming transcript from an unaccredited school program and does not accept course credits to be counted toward receipt of a DoDEA high school diploma. This appeal would go to the District Superintendent.

(b) Another example would occur when a District Superintendent does not approve a student's request for an exception to a minimum graduation requirement of a 2.0 grade point average. Since the District Superintendent makes this decision, the appeal would go to the Area Director for review.

c. Review and Notification of Appeal.

(1) The next higher level reviewing official (e.g., District Superintendent, Area Director) will review the documentation received in the written appeal. The review will include a thorough analysis of DoDEA policy and may include consultation with the school official who made the original decision.

(2) The appellate authority will render a final decision within 10 days of receiving a written appeal. The appellate authority's decision regarding the appeal must be provided in writing within 10 business days to the school official. This written response is considered final; no further appeal option exists.

(3) If the appeal is granted (previous decision is vacated), the reviewing official will notify the DoDEA school attended by the student of the final decision, and the parent, sponsor, or student (aged 18 or older) will be advised of the appropriate steps to be taken.

(4) If the appeal is not granted, the reviewing official will provide written notice to the individual who submitted the appeal (i.e., parent, sponsor, or student [aged 18 or older]), indicating the reason why the appeal was not approved.

(5) All documentation regarding the appeal is maintained in the student's cumulative school folder. This includes the initial school official written notice, the request for reconsideration of the appeal, and the written higher level decision.