

Schlieman

November 11, 2013 11:12 AM

To: Bamberry, Lynn </O=CDE/OU=First Administrative Group/cn=Recipients/cn=Bamberry_L>, Morgan, Gretchen </O=CDE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Morgan, Gretchen>
RE: Notification of hearing process

Hi Lynn,

Gretchen 's phone call seemed to have gone well. Based on precedence set in 11/12 with West Denver Prep, Gretchen extended the opportunity for Colorado Early Colleges – Douglas County to submit additional information in the Tier II application process due to their existing schools being high performing and the issue not being the quality of their schools but the quality of the application. If the additional information is sufficient to bring the school 's application up to a fundable level, then they could be funded if there are remaining funds following Tier II. We are expecting to have extra funds following Tier II anyway, as we would need to have over 22 successful candidates in Tier II to use up available funds. Right now I am only aware of 9 Tier II applicants.

It seems Keith is satisfied with Gretchen 's offer above and has decided not to pursue a hearing for the meantime.

Thank you for your help in clarifying the hearing process for us.

Best,

Gina

Gina Schlieman | Charter School Program and Grant Manager, Schools of Choice Office | Colorado Department of Education |
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From: Bamberry, Lynn
Sent: Monday, November 11, 2013 9:00 AM
To: Schlieman, Gina; Morgan, Gretchen
Subject: Notification of hearing process

How did you phone call go? Here is a bit of additional information.

Lynn Bamberry | Director of Competitive Grants & Awards | Colorado Department of Education |
1560 Broadway, Suite 1450, Denver, CO 80202 | tel 303.866.6813 | www.cde.state.co.us |

Applicants wishing to **discuss the denial of their application** may contact the CDE program office responsible for the administration of the grant under which funds were sought.

CDE is required by federal law to provide an opportunity for a hearing for applications that are not approved for funding.

(34 CFR 76.401 Disapproval of an application —opportunity for a hearing)

If an applicant feels that the competition was not conducted in a fair and equitable manner for all grant applications or that CDE was otherwise in violation of state or federal law, rules, regulations, or guidelines governing the grant competition process, the applicant may request a hearing. **The request must be made in writing within 30 days of the applicant 's receipt of their award status and should specify the alleged violation(s).** Requests should be directed to: [Lynn Bamberry?]

Within 30 days after it receives the request, CDE will hold a hearing to review its action. **The hearing is not a review of the merits of the grant application; its purpose is to determine whether the review process was conducted in a fair and equitable manner.** The hearing will be on the record, and minutes or a transcript will be provided on request.

Within 10 days after the hearing CDE will issue a written ruling including findings of facts and reason for the ruling. If CDE determines that its decision was contrary to state or federal statutes or regulations that govern the grant program, it shall rescind its action. If CDE determines that its decision was compliant with the state or federal statutes or regulations governing the grant program and does not rescind its action, the applicant may appeal to the Secretary of the U.S. Department of Education by filing a notice of the appeal with the Secretary within 20 days after the applicant has been notified by CDE of the results of the hearing.

