**TO: AACTE/NCTR/DFI Members**

**RE: SUGGESTED TEMPLATE LANGUAGE FOR APPEALS FOR TERMINATED SEED/TQP/TSL GRANTS**

**Procedures:**

* Make sure to submit by email and first-class mail (send certified/return receipt requested)
* Make sure Department receives it within 30 calendar days of notification of termination (include weekends and non-business days)
* Include:
* A copy of the written notice and the date notice was received
	+ A brief statement of your argument and the disputed factual, legal, or other issues
	+ Amount of funds or costs in dispute
	+ Any other relevant documents
* [X organization/school] is writing to appeal the termination decision by the U.S. Department of Education of [grantee’s] [SEED/TQP/TSL] grant that we were notified of on February XX, 2025.
* On February 17, the Department issued a press release discussing the termination of the teacher preparation grants, including [TQP/SEED/TSL], stating that they were terminated because they promoted “divisive ideologies” and citing components that were labeled as DEI or strategies “based on race.” On February 21st, the U.S. District Court for the District of Maryland issued a preliminary nationwide injunction ordering that the Administration cannot “pause, freeze, impede, block, cancel, or terminate any awards contracts or obligations” because they are equity-related. Given the language used in the termination letter that “it is a priority of the Department of Education to eliminate discrimination in all forms of education throughout the United States” and that “this priority includes ensuring that the Department’s grants do not support programs or organizations that promote or take part in diversity, equity, and inclusion (“DEI”) initiatives or any other initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic” and the notification that was sent that our grant was terminated because of a change in Department’s priorities, we believe that our grant was terminated for “equity-related” reasons and that termination should be prohibited because of the current nationwide preliminary injunction that is in place.
* Furthermore, the reason provided to us for termination of our grant was that it is “inconsistent with, and no longer effectuates, Department priorities.” The Department of Education’s priorities are set in rulemaking and then are included in the NIA for the grant program. Our grant was awarded because we met the priorities provided in the NIA at the time the grant was competed, and those Department priorities are still in effect through the current regulations. [86 FR 36217, 86 FR 70612]
* We also are challenging the grant condition that was imposed upon termination of our grant for the liquidation process. Our grant was put on “route pay” after it was terminated. As required in 2 C.F.R. 200.208, imposing a grant condition is required to be an individualized decision based on risk factors of the grantee. In addition, notice is required to be provided, including why the additional requirement is being imposed; what is needed to remove the additional requirement; and the method for requesting reconsideration. No notice was provided and, in fact, we only found out that the condition was imposed when we attempted to draw down funds, pursuant to the liquidation provisions stated in 2 C.F.R. 200.
* While we do not have any disputed costs at the moment, we also want to confirm in this appeal that if the termination is not reversed, our understanding is that we are allowed to draw down allowable costs based on 2 CFR 200.343, 2 CFR 200.472 and 34 CFR 75.707, and that expenses that were obligated prior to the termination date will be approved based on the Department’s own regulations in EDGAR - 34 CFR 75.707.
* Include a paragraph describing the impact of the immediate termination of your grant to show that harm is currently imposed. Some examples to provide: how many teachers won’t be trained, how many students will not be able to participate in the teacher preparation program, and the impact on PK-12 schools and classrooms.