



NEW ENGLAND ASSOCIATION OF SCHOOLS AND COLLEGES, INC.

**POLICY AND PROCEDURES FOR THE APPEAL OF
ADVERSE ACCREDITATION ACTION BY COMMISSIONS OF THE
NEW ENGLAND ASSOCIATION OF SCHOOLS AND COLLEGES**

SECTION 1. Right of Appeal. An institution shall have the right to appeal an adverse accrediting action made by a Commission of the New England Association of Schools and Colleges. For purposes of this policy, an adverse accrediting action includes termination of candidacy for accreditation, denial of accreditation, or termination of accreditation.

The accreditation status of the institution shall not change until all rights of appeal pursuant to this Policy and Procedure are exhausted.

Actions regarding adverse accrediting actions and the review of those decisions shall be carried out in a timely and expeditious manner in order to insure protection of the institution, the public interest, and the integrity of the process.

SECTION 2. Adverse Accrediting Action. After the Commission approves an adverse accrediting action, if no notice of intent to appeal is filed as provided in Section 3 below, the adverse accrediting action becomes final. The Commission shall notify the institution in writing and specify the standards and/or criteria not met. A copy of this Policy and Procedure shall be provided to the institution along with the notice of the adverse accrediting action.

SECTION 3. Notice of Intent to Appeal and Filing the Appeal. An institution may appeal the adverse accrediting action of the Commission by filing a notice of intent to appeal no later than seven (7) days following receipt of the written notice of the Commission's adverse accrediting action (see Section 4 for the grounds for an appeal). A notice of intent to appeal may be filed only with the authorization of the governing board of the institution. The notice of intent to appeal must be sent by certified mail or by email to the President of the Association. The notice of intent to appeal should contain a statement of the ground(s) on which the appeal will be made but need not provide evidence in support of the appeal.

Within fifteen (15) days of filing a notice of intent to appeal, the institution must submit its written appeal by certified mail or by email to the President of the Association who will forward a copy of the written appeal to the Commission. The written appeal shall set forth the institution's evidence and its argument in support of its appeal. There shall be no required format for the written appeal.

Within fifteen (15) days following receipt by the Commission from the President of the written appeal, the Commission shall submit its response in writing to the President with a copy to the institution.

SECTION 4. Grounds for Appeal. The grounds on which an appeal may be made are (a) departure by the Commission from the procedures established by written policy or agreement; (b) the citing by the Commission of factually incorrect information as basis for its decision; (c) bias, as evidenced by a demonstrable intent on the part of evaluators, the Commission, or the Commission's professional staff to prejudice the evaluation or other review of the institution's status of accreditation; (d) substantial evidence that was not available to the institution or the Commission at the time of the adverse accrediting action; or (e) the adverse accrediting action is arbitrary and capricious.

SECTION 5. Appeals Committee. Upon receipt of an institution's appeal the President shall appoint an Appeals Committee consisting of not less than three (3) nor more than five (5) persons. The Appeals Committee shall represent academic or administrative expertise commensurate with the constituency of the relevant Commission. The President shall send a copy of the institution's appeal documents and the Commission's response to each member of the Appeals Committee in advance of its meeting.

SECTION 6. Appeals Review. The President shall establish a date and place for the appeals review which shall be no later than thirty (30) days after the filing of the notice of intent to appeal with the President. The review may take place physically or electronically/virtually as agreed among the members of the Appeals Committee.

The Appeals Committee shall consider evidence bearing only upon the grounds specified in the appeal. Additional written materials or evidence not presented to the Commission at the time of its original decision as a part of its review may not be presented to the Appeals Committee. The decision of the Appeals Committee shall be determined by majority vote. In the event of a tie vote, the appeal shall be deemed denied. The Appeals Committee shall meet in executive session (physically, electronically/ virtually as mutually agreed) to reach its decision following the close of the review.

The Appeals Committee decision shall contain the Committee's ruling together with a rationale as well as any additional information deemed pertinent by the Committee. The Appeals Committee decision shall be communicated to the President within one week following the completion of the review.

The Appeals Committee shall have the authority to affirm, amend, reverse or refer for further consideration by the Commission the adverse accrediting action. The Appeals Committee shall inform the institution, the Commission, and the President of its decision within seven (7) days of arriving at its decision. Notification to the institution shall be sent by certified mail or email, return receipt requested. The decision of the Appeals Committee is the final NEASC action.

SECTION 7. Fees. An institution appealing an adverse accreditation action shall pay a fee of \$ 2,000 at the time of submitting the appeal. If the appeal is granted or subsequent consideration by the Commission leads to a reversal of the adverse accreditation action the fee is refunded to the institution. If the appeal is denied, the fee is forfeited, and the appealing institution shall also be billed for additional expenses incurred by the members of the Appeals Committee, with total additional such expenses not exceeding \$ 5,000. The President may waive or extend any of these provisions concerning dates or fees for good cause.