

# **NBEAC Complaint & Appeal Procedures**

A Business School may appeal only the following decisions:

- a. Rejection of Accreditation as a result of a decision by the NBEAC Council Members.
- b. Renewal of accredited status after 03 years as a result of a decision by the Council Members.

The procedures for an appeal of accreditation rejection are:

1. An institution's appeal must be submitted to the NBEAC within 04 weeks from the date of the accreditation decision. The grounds for an appeal are limited to the following:
  - a. The rejection will be arbitrary, capricious or otherwise in disregard of NBEAC accreditation standards;
  - b. The rejection decision will be based against the NBEAC procedures;
  - c. The decision will not be supported by facts in the record, on which the decision of the NBEAC Council Members is based.
2. The Business School must detail each of the justification upon which it bases its appeal. The School should provide NBEAC with the documentation and information upon which it intends to rely in support of its Appeal.
3. The documentation provided with the appeal must include a specific reference to where the information or documentation can be found in the record that was kept before the NBEAC Council Members at the time of the accreditation rejection.
4. Within 04 weeks of receipt of the School's Appeal along with documentation, the Secretariat will provide the School with a list of five members who are willing and qualified to serve on an Appeal Panel. Within 01 week of receipt of those names, the institution will remove two names from the list and notify the Secretariat of its decision.
5. The Appeal Panel shall not include any members of the AIC, or Council Members who participated in the process leading to the rejection decision under appeal. Members of the Appeal Panel shall comply with the requirements and provisions of the NBEAC Conflict of Interest Policy.
6. The Appeal Panel shall select one of its members to serve as Chair. The Chair of the Appeal Panel shall determine the date of the hearing and shall notify all parties at least 02-weeks in advance of the hearing. The hearing shall be an open proceeding unless the Business School requests in writing that it be closed, which request must be made within 01-week of notice of the hearing date. The hearing shall occur within three (3) months of the rejection decision and be held at location as NBEAC and the Business School may agree.
7. NBEAC Secretariat shall provide each member of the Appeal Panel with a copy of documentation, a copy of the record under review, and subsequent correspondence to and from the Business Schools.

8. All costs and expenses incurred by NBEAC in providing for the appeal, the hearing, expenses of the Appeal Panel, and all other expenses (exclusive of Appeal Panel fees, if any) in connection with the appeal shall be abide by the Business School, except where the Appeal Panel finds that the rejection decision was based on Section 1-a.If so, then NBEAC shall bear fifty percent of all costs and expenses for the appeal. These costs and expenses include the hearing costs, transcription costs, and travel costs of the Appeal Panel and of the staff and other representatives of NBEAC at the hearing. Secretariat will calculate and submit to the institution its estimate of those costs and expenses as soon after the documentation has been submitted as is practicable. Before hearing date, the Business School shall advance to NBEAC the full amount of those estimated costs and expenses. Failure to advance the sums requested by NBEAC in a timely manner shall be made known to the Appeal Panel, which shall have the right to treat the appeal as abandoned and issue a decision so stating, which decision shall be final and binding on the institution. Following the hearing, the expenses associated with the appeal will be calculated as soon as possible. The final costs associated with the appeal shall be deducted from the estimated deposit(s), and the balance will either be billed or refunded to the institution.
9. The Business School and NBEAC shall have the right to appear before the Appeal Panel, to be represented by counsel, and to present opening statements, all within the limitations prescribed by the Chair of the Appeal Panel. The hearing, which usually will not take more than two (2) hours to complete, shall proceed in the following manner:
  - a. The Chair of the Appeal Panel shall describe the standard of review and the procedures that will be followed.
  - b. The Business School or its counsel shall then offer an opening statement summarizing the school's grounds for the appeal.
  - c. NBEAC or its counsel shall then offer an opening statement summarizing NBEAC's position on the issues presented in the original negative action.
  - d. After the opening statements, the Appeal Panel may ask questions directed to the school, NBEAC or both related to the record on appeal or any of the issues raised by the Business School or NBEAC. Counsel may fully participate. NBEAC and the school may not address each other, call witnesses, or introduce new evidence
  - e. The school or its counsel may then, but shall not be required to, offer a closing statement, following which the hearing will adjourn.
  - f. The school, NBEAC and members of the Appeal Panel are expected to adhere to the time limits set forth herein. Any changes in the schedule must be approved by the Appeal Panel.
10. In reviewing the negative decision on appeal, the Appeal Panel shall determine whether the school has carried its burden of proof that, based on the information or documentation that was part of the record before the NBEAC Council Members at the time of the negative decision as may prescribed.
11. The Appeal Panel does not have the authority to grant accreditation or renew an institution's accreditation. The Appeal Panel must either maintain or challenge the rejection decision. The Appeal Panel shall act by majority confirmatory vote; a challenge

shall only be approved if at least two members of the Appeals Panel vote to challenge. The committee shall take such action as it shall deem appropriate, consistent with NBEAC rules and procedures, and shall refer such action to the NBEAC Council Members, whose decision shall be final and not subject to further appeal.

12. The decision of the Appeal Panel shall be in writing and shall include a statement of the arguments for the decision. The written decision shall be submitted to the Business School and NBEAC within 02-weeks of the hearing.
13. The decision of the Appeal Panel shall be final. No requests for reconsideration by the Appeal Panel are permitted or shall be considered.
14. An institution that appeals a negative decision and that negative decision is upheld by the Appeal Panel may not re-enter the NBEAC accreditation process for a minimum of three years following the decision of the Appeal Panel, as applicable.
15. Should the institution withdraw from or abandon the appeal process after the filing of Grounds for Appeal at any time, the initial action shall stand and the three year exclusion period shall apply from the date of withdrawal or the decision of the Appeal Panel determining that the institution has abandoned its appeal.