

## **IV.8 Meeting of the ARC**

The ARC holds a meeting regarding the basis of the appeal. This meeting must be held **within 30 calendar days** of the receipt of the COA's response to the appeal.

The ARC may include and consider only the following documents:

- Evidence that was before the COA at the time of its decision:
  - The Decision Document letter granting the program either Conditional accreditation (in the case of withdrawal of accreditation) or Candidacy status (in the case of denial of Initial accreditation);
  - Subsequent correspondence between the COA and program;
  - The Self-Study;
  - The ERP Report;
  - The school's response to the ERP Report (if any).
- The COA Decision Document letter;
- The institution's appeal document; and
- The COA's response to appeal (if any).

At this meeting, the ARC may seek clarification of arguments presented in any of the documents listed above. The ARC will not consider any new facts or evidence at the hearing. A fact or piece of evidence will be considered "new" if (a) it was not presented in any of the documents listed above, even if the omission was inadvertent; or (b) it relates to circumstances arising after the time of the COA decision. In addition, the ARC will not consider any grounds for remanding or upholding the COA decision that were not raised in the appeal document or COA response.

Statements made by either the institution or the COA at the ARC meeting must relate to one or both of the following issues:

- Whether the COA failed to follow its established, published procedures in reaching its decision, and that this failure to follow procedures caused the decision to be unfair; and/or
- Whether the COA's decision was arbitrary, capricious, or not supported by significant, relevant information or evidence that the institution submitted in writing to the ERP and/or to the COA at the time of the review or before the decision, and that this oversight resulted in an unfair decision.

### **IV.8.1 Specifics of the ARC meeting**

The ARC chair presides over the meeting. Representatives of both parties and their legal counsels may attend the meeting. The ALA provides the ARC and the COA with separate legal counsel for the meeting. The Director of the Office for Accreditation or a designate and a member of the ALA Executive Board are present at the meeting as observers.

The institution and the COA are given an equal amount of time, determined by the ARC, in which to make a brief oral presentation regarding the appeal. The ARC may question the representatives or other people (for example, the ERP Chair of the review or the OA Director). This may be done prior to, during, or following the meeting, virtually or face to face. Questions by ARC members do not count against either side's time. There is no provision for cross-examination of the representative(s) of either side.

*Accreditation Process, Policies, and Procedures, fourth edition*

To reduce the costs to each side, technologies such as videography, teleconferencing, and streaming video may be used to participate live in the meeting. Such technologies may also be used to present recorded statements by representatives of either side or those questioned by the ARC.

At the conclusion of the meeting, the ARC goes into executive session to review and discuss the appeal. The institution appealing the decision has the burden to prove that the COA committed clear error in the accreditation decision, that such error resulted in an unfair decision, and that such error falls within the grounds for appeal set forth in this document (section IV.2.1). The members of the ARC are not to determine whether they would have reached the same conclusion as the COA, but rather to determine whether the COA reached its decision in a fair manner and followed established procedures and policies.

The ARC issues a written report to the ALA Executive Board with a recommendation that sets forth all of the reasons and evidence it relied upon. The ARC must transmit its report to the ALA Executive Board **within 14 calendar days** of the end of the meeting.