

Application for Arbitration

Application for Arbitration of Post-Hearing Decisions

Name of Institution: _____

Address of Institution: _____
(Street Address) (City, State) (ZIP)

Telephone: _____ Fax: _____ Today's Date: _____
(Area Code) (Area Code)

(For more information, refer to the *DETC Accreditation Handbook procedure D.2. Appealing Commission's Adverse Decisions*, and the *DETC Constitution and Bylaws, Section 12.2.*)

Procedure for Seeking Arbitration

1. The institution submits form E.13. Application for Arbitration, to the Executive Director of the Accrediting Commission within 5 business days of the receipt of the Commission's written statement advising the institution of the final adverse decision to deny or withdraw accreditation. The arbitration fee must accompany this Application. When arbitration is requested, any public notification of the Commission's adverse action will be suspended pending the outcome of the arbitration, and the institution agrees to not enrolling any new students pending the outcome of the arbitration.
2. The institution submits a written statement of the grounds for its arbitration within 14 days of submitting its Application for Arbitration.
3. The institution's accounts, including hearing and transcript fees, with the Distance Education and Training Council and the Accrediting Commission must be paid in full for the application for arbitration to be honored.
4. An independent arbitrator will be selected by a recognized national arbitration organization. The Commission will select the arbitration firm. The Commission will coordinate with the arbitrator and the institution and will designate the time and place the hearing will be held.
5. The institution has the opportunity to make an oral presentation at the hearing. The oral presentation may not exceed 20 minutes. If applicable, please list below those who will be attending the hearing on behalf of the institution:

_____	_____	_____
(Name)	(Title)	(Affiliation)

_____	_____	_____
(Name)	(Title)	(Affiliation)

_____	_____	_____
(Name)	(Title)	(Affiliation)

- 6. The institution, at its option and its expense, has the right to the presence of its own legal counsel at its oral presentation at the hearing.

Name of Counsel: _____

Firm: _____ Phone No.: _____

Fax: _____ E-mail: _____

Address: _____

- 7. Both parties may appear before the arbitrator with legal counsel to present their position, and each may file a written brief, subject to the fifteen-page limit used by the Department of Education’s appeals division, and up to five exhibits. The written brief and all materials must be received by DETC no later than 10 days prior to the arbitration hearing date. New documents or materials may **not** be presented for the arbitrator’s consideration at the time of the hearing.
- 8. Additional discovery activity and witnesses should not be required. In an exceptional circumstance, where the arbitrator finds that additional information is essential to reaching a fair decision, limited discovery may be authorized
- 9. Within 30 days following the conclusion of the arbitration hearing, the Commission shall send the institution a written statement advising of the arbitrator’s decision.

I certify that all of the information on this application is true and correct:

Institution’s President or CEO: _____ Signature: _____

Application Checklist

- _____ Arbitration Fee deposit (\$25,000)
- _____ Optional fee for transcript deposit (\$1,000)
- _____ Written brief will be filed by _____ (date)
- _____ Names of those attending appeal hearing

Submit this form to: Executive Director (address below).