

GAC Accreditation Appeals Policy and Process

GAC Policy:

Appeal of a Decision by the GAC: (GAC Accreditation Handbook (5.0) Section B.6.1):

The GAC directors' decision may be appealed by following the GAC appeals process.

When a program receives a GAC directors' decision of denial or withdrawal of accreditation, the GAC directors will provide the program with the reasons for the decision, referencing specific GAC Accreditation Standards with which the program is not aligned.

The chief operations officer or other appropriate representative of a program may appeal a GAC accreditation decision of denial and a GAC-initiated withdrawal of accreditation, as delineated in Section B.4 within 30 days of receipt of the written GAC decision. All appeals shall be addressed to the GAC and clearly provide the following:

1. The specific grounds on which the appeal is being made.
2. All relevant supportive documentation demonstrating why the appellant believes that the GAC decision should be reconsidered.

Within 30 days of receipt of the written appeal, the GAC shall forward the original decision, the appeal, and all supportive documentation to an ad hoc appeals panel, appointed by the GAC directors and comprised of three members having no affiliation with either the GAC decision or the appellant. The appeals panel will consider all evidence and make its recommendation to the GAC Directors, who will render a final vote on the appeal.

GAC Process:

Appeal of a Decision by the GAC:

A. Notice of Intent to Appeal

1. Within thirty (30) days following receipt of the written GAC decision, the chief operations officer or other appropriate representative of the program should notify the Accreditation Manager, in writing, via email and postal service, that it is appealing the GAC decision. This Notice of Intent to Appeal shall be sent via email to gac@pmi.org.
2. The Notice of Intent to Appeal shall set out in concise fashion the specific grounds on which the appeal is being made as well as all relevant supportive documentation that the program plans to present to the Appeal Panel, demonstrating why the appellant believes that the GAC decision is in error and should be reconsidered.
3. If a Notice of Intent to Appeal is not filed within the thirty (30) day time period, the program will have lost the right to appeal.



B. Grounds on Appeal

1. A program subject to a contested accreditation decision taken by GAC may appeal that decision if it has evidence supporting that the decision was in substantial disregard of the criteria or procedures of GAC, or that the decision was not supported by substantial evidence in the record upon which GAC relied in making the decision.
2. The program has the burden of proof on appeal.
3. During an appeal, the Ad Hoc Appeals Panel will only consider the record (evidence, documents, and other information) that was before GAC when it took the contested accreditation action.
4. The record on appeal shall include, as applicable, the program's appeal document and supporting materials, reports of onsite evaluation teams, decision letters and other correspondence between GAC and the program, and the program's responses to GAC inquiries and actions. Accordingly, the appealing program may not present to the Appeals Panel any data, information, documents, or other evidence that was not part of the record when GAC made the decision from which an appeal was taken, except any information that demonstrates a substantial deviation from GAC accreditation criteria or procedures on the part of the GAC in making its decision. The Accreditation Manager shall transmit a complete copy of the record on appeal to the three person Ad Hoc Appeals Panel as soon as the possible after the panel is selected.

C. Selection of the Ad Hoc Appeal Panel

1. GAC staff shall maintain a list of persons who are qualified to serve on the Ad Hoc Appeals Panel as needed. The list shall consist of persons who have a working knowledge about, and experience with, GAC's evaluative criteria and procedures used in accreditation, and shall be subject to GAC's conflict of interest policies. The list shall not include any current members of the GAC Directors or any previous GAC Directors or Visit Team Members who participated in any aspect of the contested decision.
2. The Ad Hoc Appeals Panel will consist of an Appeals Panel Chair and two (2) other Ad Hoc Appeals Panel members.
3. The Panel must include at least one (1) representative from academia and one (1) project management practitioner. The third person may be from either of these categories.
4. The names of the proposed Ad Hoc Appeals Panel Chair, the two Appeal Panel Members, and their resumes, shall be forwarded to the named individual who initiated the Appeals process within twenty (20) days following receipt of Notice of Intent to Appeal.
5. If the program believes that anyone on the Ad Hoc Appeals Panel does not meet the qualifications set out in C.1 (above), or is aware of a conflict of interest, the program may declare that individual unqualified or in conflict of interest by notifying the Accreditation Manager of the lack of qualifications or conflict in writing within ten (10) days of receipt of the initial listing. If appropriate following review, the Accreditation Manager may propose a substitute Ad Hoc Panel Member, following the process noted in C.2 (above).



D. Ad Hoc Appeals Panel Procedures

1. Once appointed, each member of the Ad Hoc Appeals Panel shall promptly receive, from the Accreditation Manager copies of the record on appeal noted in B.4 (above).
2. A list of all materials that comprise the complete record on appeal shall be identified and be made available to the appellant program, and two (2) copies of this record on appeal shall be held in the GAC offices as staff copies.
3. The Ad Hoc Appeals Panel Chair and identified representatives from the appellant program shall establish a mutually agreeable date, time, and location of the Appeal Hearing and shall so notify the Accreditation Manager in writing thirty (30) days prior to the Hearing date. The Appeal Hearing shall be held within sixty (60) days after the panel is appointed.
4. The Appeal Hearing can be either face-to-face or via teleconference or other electronic means, at the judgment of the appellant program.
5. Prior to the Appeal Hearing, members of the Ad Hoc Appeal Panel will be trained by GAC Staff. Topics of training will include, but are not limited to, the appeals process, the relevant policies and procedures, the decision options available to the Appeal Panel, and information about GAC's current interpretation of the relevant evaluative criteria.

E. Appeal Hearing Procedures

1. The Appeal Hearing shall commence with an opening statement by the Chair of the Ad Hoc Appeals Panel which describes the issues raised on appeal, the applicable standard of review, and the procedures to be followed at the hearing.
2. The appellant program's representative(s), who may include legal counsel, shall then offer oral argument in support of the appeal. The argument shall make reference to any facts in the record, or the lack thereof, which demonstrate that GAC's decision was not supported by substantial evidence on the record, was otherwise arbitrary or the result of an abuse of discretion or directly attributable to a failure to follow published procedures.
3. The appellant program may request witnesses (e.g., members of the accreditation visit review team) to attend the hearing. The appellant program will pay the expenses of any witness who attends the hearing at the request of the program.
4. The Chair of the GAC Directors (or his/her designee) and other members of GAC designated by the Chair shall appear at the Appeal Hearing and may present oral argument in support of GAC's accreditation status decision or decision on reconsideration. Copies of the record on appeal will be made available to the Chair of the GAC Directors to distribute to GAC Directors providing testimony.
5. Any member of the Ad Hoc Appeals Panel may question the representative(s) of the program or GAC at any time during the oral argument. The Ad Hoc Appeals Panel may request other witnesses to attend the appeal hearing whom it may also question. The GAC will pay the expenses of any witnesses who attend the hearing at the request of the Ad Hoc Appeal Panel.
6. At the conclusion of the oral argument and all witness testimony, the Appeal Hearing shall be adjourned.
7. Minutes of the Appeal Hearing shall be recorded and made available to the appellant program and the GAC Directors with the Ad Hoc Appeals Panel Decision.



F. Appeal Decisions

1. The Ad Hoc Appeals Panel may uphold the GAC decision under appeal. In such case, this decision shall be submitted to the Accreditation Manager within fifteen (15) days after the hearing. The Accreditation Manager will in turn promptly notify the program in writing of this decision. An Ad Hoc Appeals Panel decision upholding the decision of GAC cannot be appealed further.
2. If the Ad Hoc Appeals Panel does not uphold the GAC decision under appeal, it may amend or reverse the decision and then must remand the proceeding to the GAC Directors with instructions to conduct further proceedings consistent with the Appeal Panel's decision. In remanding the proceeding to the GAC Directors, the Ad Hoc Appeals Panel shall expressly state the basis for its conclusion that GAC's decision was not predicated upon substantial evidence on the record, was otherwise arbitrary and capricious, was an abuse of its discretion, or was directly attributable to GAC's failure to follow its published procedures. In such case, the Accreditation Manager will be notified and will in turn notify the program that the decision has been remanded to the GAC Directors.
3. The GAC Directors, upon remand from the Ad Hoc Appeals Panel, must accept the Ad Hoc Appeals Panel decision and issue a decision consistent with the Ad Hoc Appeals Panel's decision at its next regularly scheduled meeting. This action shall constitute final action in the matter.

G. Expenses of Appeal

1. The expenses incurred in the development and presentation of its appeal shall be borne exclusively by the program filing the appeal.
2. The expenses involved in the selection of the Ad Hoc Appeals Panel and arrangements for the location of the hearing shall be borne by the GAC.
3. All reasonable expenses of the Ad Hoc Appeals Panel members directly associated with the Appeal Hearing (e.g., travel, meals, and lodging) shall be divided equally between the GAC and the appellant program.