

## HSACU Certification – Appeal Process

An institution may submit an appeal to address denial of a certification made pursuant to this part. Such appeals must be in writing and received by the **HSACU Appeals Officer, Policy and Oversight Division, National Institute of Food and Agriculture, U.S. Department of Agriculture, 800 9<sup>th</sup> Street, SW, Washington, D.C. 20024** within 30 days following an announcement of institutions designated for certification.

The Appeals Officer will consider the record of the decision in question, any further written submissions by the appellant, and other available information and shall provide the appellant a written decision as promptly as circumstances permit. Such appeals constitute an administrative review of the decision appealed from and are not conducted as an adjudicative proceeding.

- Appeals involving an agriculture-related field of study must include the CIP code and program title of the field of study (or major).
- Appeals from non-HSI schools will not be considered.
- The NIFA Assistant Director of the Institute of Youth, Family, and Community shall serve as the Appeals Officer.
- In considering such appeals or administrative reviews, the Appeals Officer shall take into account alleged errors in professional judgment or alleged prejudicial procedural errors by NIFA officials. The Appeals Officer's decision may:
  - 1) Reverse the appealed decision;
  - 2) Affirm the appealed decision;
  - 3) Where appropriate, withhold a decision until additional materials are provided.
- The Appeals Officer may base his/her decision in whole or part on matters or factors not discussed in the decision appealed from.
- If the NIFA decision on the appeal is adverse to the appellant or if an appellant's request for review is rejected, the appellant then has the option of submitting a request to the NIFA Deputy Director for Food and Community Resources for further review.
- The request for further review must be submitted to **Policy and Oversight Division, National Institute of Food and Agriculture, U.S. Department of Agriculture, 800 9<sup>th</sup> Street, SW, Washington, D.C. 20024** within 30 days following the Appeals Officer's decision.
- No institution shall be considered to have exhausted its administrative remedies with respect to the certification or decision described in this part until the NIFA Deputy Director for Food and Community Resources has issued a final administrative decision pursuant to this section.
- The decision of the NIFA Deputy Director for Food and Community Resources is considered final.
- Appellants shall be notified in writing of any decision made by NIFA in regards to the appeal.