

KCU Binding Arbitration Agreement

By pursuing enrollment at KCU, I, "Student" agree that any legal dispute arising from my recruitment, enrollment, attendance or education at KCU or any claim, no matter how described, related in any manner, to any act or omission regarding the my relationship with KCU, that is not resolved by a Grievance Procedure or Student Disciplinary Committee, shall be resolved by binding arbitration under the requirements of the Federal Arbitration Act. The American Arbitration Association (AAA) in Kansas City, Missouri, will conduct the binding arbitration under its commercial rules. All determinations as to the enforceability and effect of this arbitration agreement shall be decided by the arbitrator, and not by a court. Any award issued as a result of the binding arbitration may be entered in any court having jurisdiction.

I. Terms of Arbitration

Both Student and KCU irrevocably agree that any legal dispute between them shall be submitted to arbitration. Neither the Student nor KCU shall file or maintain any lawsuit in any court against the other, and agree that any suit filed in violation of this Agreement shall be dismissed or stayed by the court in favor of an arbitration conducted pursuant to this Agreement.

The costs and fees for arbitration will be governed by the American Arbitration Association's Employment Arbitration Rules. If neither party is totally successful in the prosecution or defense of its claims, each party will bear its own costs of arbitration unless the arbitrator determines that a more reasonable and equitable division of costs should be imposed.

The arbitrator's decision shall be set forth in writing and shall set forth the essential findings and conclusions upon which the decision is based.

Any remedy available from a court under the law shall be available in the arbitration.

II. Procedure for Filing an Arbitration

Students are strongly encouraged, but not required, to utilize the Grievance Policy described in the Catalog and Student Handbook, prior to filing arbitration.

A Student desiring to file arbitration should first contact the KCU President, who will provide the Student with a copy of the AAA Commercial Rules. A Student desiring to file arbitration should then contact the American Arbitration Association in Kansas City, Missouri, which will provide the appropriate forms and detailed instructions. The Student should return this form to the AAA.

III. Acknowledgement of Waiver of Jury Trial and Availability of AAA Rules

The Student acknowledges that he or she understands that both KCU and the Student are irrevocably waiving rights to a trial by jury and are selecting instead to submit any and all claims to the decision of an arbitrator instead of a court. The Student understands that the award of the arbitrator will be binding and not merely advisory.

Student's Printed Name

Student's Signature

Student ID #

Date

Questions regarding the content or interpretation of any KCU Policy or Procedure can be directed to the Vice Provost for Enrollment and Student Services or, for Title IX Issues, the Chief Compliance Officer.