COMPLAINTS AGAINST ACS WASC ACCREDITED SCHOOLS

A15 STUDENT AND PUBLIC COMPLAINTS AGAINST INSTITUTIONS

A15.1 Complaints Regarding Quality, Integrity, and Effectiveness

Accreditation by the ACS WASC is an expression of confidence that an institution is satisfactorily achieving its objectives and that it meets or exceeds the Commission’s standards of quality, integrity, and effectiveness. The Commission is concerned with institutional integrity and with performance consistent with Commission standards and policies. While it cannot intervene in the internal procedures of institutions or act as a regulatory body, the Commission can and does respond to complaints regarding allegations of conditions at affiliated institutions that raise significant questions about the institution’s compliance with the standards of conduct expected of an accredited institution.

A15.2 Allegations Not Under ACS WASC Jurisdiction

ACS WASC does not consider allegations concerning the personal lives of individuals connected with its affiliated institutions. It assumes no responsibility for adjudicating isolated individual grievances between students, faculty, or members of the public and individual institutions. The Commission will not act as a court of appeal in matters of admission, granting or transfer of academic credit, grades, fees, student financial aid, student discipline, collective bargaining, faculty appointments, promotion, tenure, and dismissals or similar matters. With regard to an affiliated institution operated or governed by a religious organization, the Commission will not respond to any complaint regarding the religious nature or programs of the school (e.g., a complaint about the orthodoxy of a religious service, textbook, or class will not be adjudicated by the Commission). If the complainant has instituted or has threatened to institute litigation against the institution, no action under this procedure will be taken by the Commission while the matter is under judicial consideration.

A15.3 Initial Complaint Requirements

Complaints are considered only when made in writing and when the complainant is clearly identified. Substantial evidence should be included in support of the allegation that the institution is in significant violation of the rules of good practice as stated in the Commission’s criteria, standards, and policies. Such evidence should state relevant and provable facts. The Commission requires that each affiliated institution have in place student grievance and public complaint policies and procedures that are reasonable, fairly administered, and well publicized. A record of all written complaints received by the institution must be maintained and made available for review by ACS WASC upon request. The complainant should demonstrate that a serious effort has been made to pursue all review procedures provided by the institution.
A15.4 Review of Complaint Information

When the Commission receives a complaint about a candidate or accredited institution, it reviews that information to determine if it is relevant to the compliance of that institution with Commission standards. If appropriate, such information may be referred to the institution or to the visiting team next scheduled to evaluate the institution. The Commission at all times reserves the right to request information of an affiliated institution and to visit that institution for purposes of fact finding consistent with Commission policy. A pattern of concern which may evidence a significant lack of compliance with standards could cause the Commission to renew its consideration of the matter for whatever action may be appropriate. If information is received raising issues of institutional integrity, the Commission may invoke the sanctions provided for in policy.

A15.5 Procedures

The Executive Director shall draft procedures for implementation of the complaints policy. The procedures shall adhere to the following criteria:

a. Protect the rights of both parties to be heard and to present evidence.
b. Take all reasonable measures to assure prompt resolution of the complaint.
c. Communicate in a timely manner to all parties regarding findings, conclusions, or rulings which are a result of investigation of the complaint.


A15.6 Possible Actions

If the results of the investigation corroborate the complaint the Executive Director may direct the school to rectify the situation or take such other immediate action as he/she deems appropriate subject to ratification of the action by the Commission at its next meeting. Examples of such other action might be:

a. An administrative letter of censure.
b. A written order to the school to show cause why accreditation should not be denied. The school must be notified of the specific grounds for adverse action, the specific standard(s) for which there has not been compliance, the nature of the action, and the right of the school to appeal.
c. A requirement that the school make official rectification to the complainant.
d. Other actions as deemed appropriate by the Executive Director in consultation with the Commission Chairperson.
D3  PROCEDURES FOR PROCESSING COMPLAINTS

D3.1  Initial Review

Within fifteen business days of the receipt of a complaint, it will be acknowledged in writing and initially reviewed by the staff of the Commission.

D3.2  Complainant’s Responsibilities

It is the complainant’s responsibility to do the following:

a. State the complaint in the clearest possible terms.

b. Provide, in writing, a clear description of the evidence upon which the allegation is based.

c. Demonstrate that all remedies available at the institution (grievance procedures, appeal hearings, etc.) have been exhausted. The complainant shall describe what has been done in this regard.

d. Attest that the matter in question is not under litigation nor the threat of litigation.

e. Acknowledge awareness that Commission staff may send a copy of the complaint to the chief executive of the institution.

f. Sign the complaint.

D3.3  Complaints Outside Commission Jurisdiction

If the Executive Director finds the complaint to be not within the scope of Commission policies and jurisdiction, the complainant will be so notified. Individual complaints, whether acted upon or not by the Commission, will be retained in Commission files.

D3.4  Response from School

If the complaint appears to be within the scope of Commission policies and jurisdiction and is substantially documented, a copy of the complaint will be forwarded to the institution’s chief executive, who will be asked to respond to the Executive Director within thirty days. The chief executive is responsible for but not limited to:

a. Responding in writing to the Commission’s Executive Director in the clearest possible terms by discussing the validity of the evidence upon which the allegation is based.

b. Discussing whether the complainant has exhausted all the remedies available at the institution (grievance procedures, appeal hearings, etc.). The respondent shall describe what has been done in this regard.

c. Attesting to whether the matter in question is under litigation or the threat of litigation.

d. Signing the response.

The Executive Director will send a copy of the complaint and correspondence to the chairperson of the Accrediting Commission.
D3.5 Decision to Investigate Further

The Commission staff will review the complaint, the response, and evidence submitted by the institution’s president, and will determine one of the following:

a. That the complaint will not be processed further.
b. That the complaint has sufficient substance to warrant further investigation (which may include referral to the Commission).
c. Every effort will be made to expedite this final decision and reach closure within 90 days of receipt of the written complaint. However, it is not possible to guarantee a specific time frame in which the process will be completed. If further investigation is warranted, the time required to conduct the investigation may vary considerably depending on the circumstances and the nature of the complaint.

D3.6 Notification of Review

The complainant and the institution will be notified of the outcome of the review of the complaint.

D3.7 Notification of Outcome

If the complaint is investigated further, as in Subsection D3.5 above, the complainant and the institution will be notified of the outcome of the investigation.

D3.8 Opportunity to Respond to Findings

Prior to the Commission’s disposition of the complaint, the individual and the institution will have an opportunity to respond in writing within thirty days to the findings of the investigation. The complainant and the institution involved will be notified of the decision. The decision as communicated by the Executive Director is final.

D3.9 Notification of Other Agencies

If the complaint was referred to ACS WASC by another agency, that agency will receive copies of correspondence that state the outcome of the complaint.

D3.10 Complaints Against ACS WASC

If the complaint should be against ACS WASC Commissioners, evaluation team members, consultants, staff, or other agency representatives or the Commission as a whole, the complaint shall be referred to the Chair of the ACS WASC Commission for initial evaluation. The Chair shall have the option of dismissing the complaint based on the criteria outlined in Subsection A15, returning it to the Executive Director as an internal staff matter, bringing it before the full Commission. A complainant shall have the right to appeal the decision of the Commission in relation to any complaint against the ACS WASC consultants, evaluation team members, staff or other agency representatives, or Commissioners.

D3.11 Complaints Regarding Term or Status Decisions

If a member school is appealing a term or status decision, the appeals process outlined in Subsection A6 shall be used.

See also Subsection A15, Student and Public Complaints Against Institutions
See also Subsection A8, Ethics and Integrity.
COMPLAINT PROCEDURES FOR POSTSECONDARY INSTITUTIONS

E4 COMPLAINT PROCEDURES

The procedures to be followed by the Commission on complaints concerning alleged injustices or unethical practices by applicants, candidates, and accredited institutions will depend on the nature of the charges and the documentation submitted.

When a complainant is associated with an institution in some capacity and contacts the Commission, the complainant is asked whether institutional grievance procedures have been utilized. If not, it is recommended to the complainant that he or she do so prior to making a formal complaint to the Commission. The complainant is also told to submit the complaint in writing and accompanied by supporting documentation. The complaint must be signed and must provide the name and mailing address of the complainant.

E4.1 Procedures for Processing Complaints

E4.1.1 Initial Review

Within fifteen business days of the receipt of a complaint, it will be acknowledged in writing and initially reviewed by the staff of the Commission.

E4.1.2 Complainant’s Responsibilities

It is the complainant’s responsibility to do the following:

- State the complaint in the clearest possible terms.
- Provide, in writing, a clear description of the evidence upon which the allegation is based.
- Demonstrate that all remedies available at the institution (grievance procedures, appeal hearings, etc.) have been exhausted. The complainant shall describe what has been done in this regard.
- Attest that the matter in question is not under litigation or the threat of litigation.
- Acknowledge awareness that Commission staff may send a copy of the complaint to the chief executive of the institution.
- Sign the complaint.

E4.1.3 Complaints Outside Commission Jurisdiction

If the Executive Director finds the complaint to be not within the scope of Commission policies and jurisdiction, the complainant will be so notified. Individual complaints, whether acted upon or not by the Commission, will be retained in Commission files.

E4.1.4 Response from Institution

If the complaint appears to be within the scope of Commission policies and jurisdiction and is substantially documented, a copy of the complaint will be forwarded to the institution’s chief executive, who will be asked to respond to the Executive Director within thirty days. The chief executive is responsible for but not limited to:
• Responding in writing to the Commission’s Executive Director in the clearest possible terms by discussing the validity of the evidence upon which the allegation is based.

• Discussing whether the complainant has exhausted all the remedies available at the institution (grievance procedures, appeal hearings, etc.). The respondent shall describe what has been done in this regard.

• Attesting to whether the matter in question is under litigation or the threat of litigation.

• Signing the response.

E4.1.5 Decision to Investigate Further

The Commission staff will review the complaint, the response, and evidence submitted by the institution’s chief executive, and will determine one of the following:

• That the complaint will not be processed further.

• That the complaint has sufficient substance to warrant further investigation (which may include referral to the Commission).

• Every effort will be made to expedite this final decision and reach closure within 90 days of receipt of the written complaint. However, it is not possible to guarantee a specific time frame in which the process will be completed. If further investigation is warranted, the time required to conduct the investigation may vary considerably depending on the circumstances and the nature of the complaint.

E4.1.6 Notification of Review

The complainant and the institution will be notified of the outcome of the review of the complaint.

E4.1.7 Notification of Outcome

If the complaint is investigated further, as in Subsection E4.1.5 above, the complainant and the institution will be notified of the outcome of the investigation.

E4.1.8 Opportunity to Respond to Findings

Prior to the Commission’s disposition of the complaint, the individual and the institution will have an opportunity to respond in writing within thirty days to the findings of the investigation. The complainant and the institution involved will be notified of the decision. The decision as communicated by the Executive Director is final.

E4.1.9 Notification of Other Agencies

If the complaint was referred to ACS WASC by another agency, that agency will receive copies of correspondence that state the outcome of the complaint.

E4.1.10 Complaints Against ACS WASC

If the complaint should be against ACS WASC Commissioners, evaluation team members, consultants, staff, or other agency representatives or the Commission as a whole, the complaint shall be referred to the Chair of the ACS WASC Commission for initial evaluation. The Chair shall have the option of dismissing the complaint based on the ACS WASC criteria outlined in
Subsection E4.2 below, returning it to the Executive Director as an internal staff matter, bringing it before the full Commission.

**E4.1.11 Complaints Regarding Term Decisions**

If a member institution is appealing a term or status decision, the appeals process outlined in Subsection E3.6 shall be used.

**E4.2 Student and Public Complaints Against Institutions**

**E4.2.1 Complaints Regarding Quality, Integrity, and Effectiveness**

Accreditation by the Accrediting Commission for Schools, Western Association of Schools and Colleges is an expression of confidence that an institution is satisfactorily achieving its objectives and that it meets or exceeds the ACS WASC criteria of quality, integrity, and effectiveness. The Commission is concerned with institutional integrity and with performance consistent with ACS WASC standards and policies. While it cannot intervene in the internal procedures of institutions or act as a regulatory body, the Commission can and does respond to complaints regarding allegations of conditions at affiliated institutions that raise significant questions about the institution’s compliance with the standards of conduct expected of an accredited institution.

**E4.2.2 Allegations Not Under ACS WASC Jurisdiction**

ACS WASC does not consider allegations concerning the personal lives of individuals connected with its affiliated institutions. It assumes no responsibility for adjudicating isolated individual grievances between students, faculty, or members of the public and individual institutions.

The Commission will not act as a court of appeal in matters of admission, granting or transfer of academic credit, grades, fees, student financial aid, student discipline, collective bargaining, faculty appointments, promotion, tenure, and dismissals or similar matters. With regard to an affiliated institution operated or governed by a religious organization, the Commission will not respond to any complaint regarding the religious nature or programs of the institution (e.g., a complaint about the orthodoxy of a religious service, textbook, or class will not be adjudicated by the Commission). If the complainant has instituted or has threatened to institute litigation against the institution, no action under this procedure will be taken by the Commission while the matter is under judicial consideration.

**E4.2.3 Initial Complaint Requirements**

Complaints are considered only when made in writing and when the complainant is clearly identified. Substantial evidence should be included in support of the allegation that the institution is in significant violation of the rules of good practice as stated in the ACS WASC standards and policies. Such evidence should state relevant and provable facts. The Commission requires that each affiliated institution have in place student grievance and public complaint policies and procedures that are reasonable, fairly administered, and well publicized. A record of all written complaints received by the institution must be maintained and made available for review by ACS WASC upon request. The complainant should demonstrate that a serious effort has been made to pursue all review procedures provided by the institution.

**E4.2.4 Review of Complaint Information**

When the Commission receives a complaint about a candidate or accredited institution, it reviews that information to determine if it is relevant to the compliance of that institution with
ACS WASC standards. If appropriate, such information may be referred to the institution or to the visiting team next scheduled to evaluate the institution. The Commission at all times reserves the right to request information of an affiliated institution and to visit that institution for purposes of fact-finding consistent with Commission policy. A pattern of concern that may evidence a significant lack of compliance with ACS WASC standards could cause the Commission to renew its consideration of the matter for whatever action may be appropriate. If information is received raising issues of institutional integrity, the Commission may invoke the sanctions provided for in policy.

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