

## **9.0 Complaints Policy**

### **9.1 Submission of Complaints or Concerns Policy**

There may be occasions when trainees, faculty, sponsoring organizations, or others involved with accredited programs have complaints regarding the program. In addition, the Accreditation Commission may initiate its own complaint based on information available in the public domain, such as information obtained from legitimate news reports, licensing or regulatory agencies. The Accreditation Commission has developed a process for addressing such complaints.

### **9.2 Overview**

The Accreditation Commission may re-evaluate a program's accreditation based on information related to the program's pursuit of accreditation policies, procedures, or other matters to the extent that such information, if known by the Accreditation Commission at the time of accreditation, would have impacted its accreditation review. Additional situations that may precipitate an investigation include any misrepresentation made either in the accreditation process or in any subsequent filing to the Accreditation Commission; the improper use of the Accreditation Commission name, logo, or seal of accreditation; or false or misleading reference to accreditation. Any individual who knowingly misrepresents the program on its behalf during the pursuit of Accreditation Commission Accreditation or after accreditation has been awarded may be subject to a complaint investigation up to denial or revocation of accreditation.

The Accreditation Commission may receive written complaints from the public on any program formally pursuing Accreditation Commission accreditation or serving a current term of Accreditation Commission, or may initiate its own complaint investigation. The process for investigating these complaints is described below.

### 9.3 Submitting a Complaint

To submit a complaint, the Program Complaint Form must be filled out by complainant or individual receiving complaint. The Accreditation Commission will use best efforts to protect the identity of the complainant when it is reasonable to do so. The Accreditation Commission will use reasonable efforts to inform the complainant before disclosing the complainant's identity.

The Accreditation Commission can only act on complaints regarding a program's inability to meet the Accreditation Standards. Concerns or allegations outside the Accreditation Commission's purview should be submitted to the appropriate authority.

The purpose of this policy document is to establish a standard method for processing complaints involving Accreditation Commission standards, policies, and procedures about a member program or a program whose submitted application for initial accreditation remains active.

#### *9.3.1 Policy Requirements*

Accreditation is a partnership for quality in which a program must meet established standards of educational quality. Toward that end, Accreditation Commission accredited programs are responsible for maintaining ongoing compliance with the Accreditation Commission Standards for Accreditation and must inform participants of their right to communicate with Accreditation Commission regarding complaints relative to noncompliance with those standards. Accordingly, accredited programs will:

1. Maintain a reasonable internal grievance policy to receive and resolve complaints, and disclose said policy in written form to all trainees at the time of enrollment.
2. Notify Accreditation Commission in writing within ten (10) days of any action or complaint filed against it by a governmental agency having regulatory authority over it, furnishing with the notification a copy of the items filed against it.
3. Inform trainees of their right to contact Accreditation Commission with a complaint; make available to trainees the Accreditation Commission's notice by a) publishing the Complaint Procedure in a readily accessible, prominent location at the program and b) furnishing participants the email, telephone number, and address of Accreditation Commission.

### *9.3.2 Procedure for Processing a Complaint*

A Consortium staff member or member of the Consortium Board of Directors is designated as the Chair of the Complaint Review Committee (CRC), who is responsible for processing complaints. The CRC is comprised of a representative of Consortium leadership, an Accreditation Commission member, and/or other accreditation staff. This body may collectively resolve complaints by vote, as authorized by the Executive Director. Copies of complaints and all related documents will be placed in the program's file upon resolution. Complaints must relate to Accreditation Commission standards. Complaints may be written or oral and initiated by an identifiable source, participant or non-participant, and/or Accreditation Commission.

Oral complaints will be routed to the Chair of the (CRC), or other designated member of the CRC, who will attempt to obtain the following: 1) name, email, telephone number, and address of the person calling; 2) name and location of the program concerned; 3) caller's status with the program; 4) names of individuals at the program involved in the complaint; 5) details of the complaint; and 6) what was done to resolve the complaint prior to calling. This information will be logged and dated. The complainant will be directed to furnish a written complaint within ten (10) days and will be informed that failure to do so may result in the determination that the complaint is not actionable and, therefore, will not be processed further. A verbal complaint may be processed without subsequent written notification if it is determined to be one with urgency, as defined below, upon conferral with the Executive Director. Anonymity will be honored for callers who do not wish to be identified; however, they must still furnish a complaint in writing per the above policy.

Complaints received in writing will be date stamped and routed to the Chair of the CRC for an initial determination of both relevance to Accreditation Commission standards, policies and procedures and may subsequently be reviewed with the Executive Director and/or the CRC for further consideration.

Anonymous complaints will be processed per the policy and procedures outlined herein, and specific requests for anonymity by an identifiable source will be honored by all reasonable means. Complaints submitted anonymously must include substantive representation of all allegations relating to Accreditation Commission standards; otherwise, such complaints lacking sufficient detail may lead to a preliminary determination by the Consortium staff that the complaint be dismissed. In such cases, a copy of the complaint will be forwarded to the program along with a letter of notification indicating that the complaint was determined to be without merit.

Information received by the Accreditation Commission not as a complaint, but which indicates that the accredited program may be in violation of Accreditation Commission standards, policies, or procedures, will require Accreditation Commission to initiate a formal complaint based on that information. These complaints will be processed per this policy.

## **9.4 Actions upon Receiving a Complaint**

### *9.4.1 Initial Determinations about a Complaint*

1. Upon receipt of a complaint, the Chair of the CRC will first determine if the matter involves Accreditation Commission standards. If it does not, a written report will be made of such decision and the matter closed. The complainant(s) will be notified accordingly.
2. A further consideration in determining whether to process a complaint is the length of time since the incident alleged in the complaint occurred. Unless there are extenuating circumstances, a complaint from a former trainee or employee will not be processed, if the complainant has been separated from the program for more than two years.
3. If the complaint relates to Accreditation Commission standards, it will be determined to be a complaint with urgency or a complaint without urgency. A complaint will be deemed one with urgency if upon an initial review:
  - The basis of the complaint appears to be well founded;
  - The seriousness of the issues, degree of potential or actual harm, the number of individuals impacted, and/or the time-sensitivity of the allegations warrant an expedited resolution of the complaint.

### *9.4.2 Complaints without Urgency*

Unless there are mitigating circumstances, complaints without urgency will be processed within the time frames identified below:

1. Within seven (7) calendar days of receipt of the complaint letter, the Accreditation Commission will provide written notification to the program summarizing the allegations contained therein as related to specific Accreditation Commission standards. A copy of the complaint letter will be included in the notification unless the complainant specifically requests anonymity. The notification letter will direct the program to submit a written response addressing the allegations and, if appropriate, demonstrating its efforts to resolve the complaint.

Any written notice from the Accreditation Commission to a program will be made by email or by other means from which the exact date of delivery can be proved. The program's response will be due within ten (10) calendar days from the date the program receives official notification from Accreditation Commission.

2. Following receipt by the Accreditation Commission, the program's response will be reviewed by the CRC to determine that:
  - a. The complaint was resolved by the program, and the complaint will be closed in accordance with the policy described below;
  - b. The complaint is being resolved by the program, in which case the matter will be regularly monitored by the Accreditation Commission to its conclusion;
  - c. Additional specific action or information is required of the program, in which case the Accreditation Commission will so notify the program and continue to monitor to conclusion;
  - d. The matter is of sufficient seriousness to require processing as a complaint with urgency.
3. If the program fails to respond as directed, the complaint may be treated as one with urgency and processed accordingly.
4. Any complaint under this procedure not resolved within 90 days from its receipt by the Consortium may be deemed a complaint with urgency and processed accordingly.

#### *9.4.3 Complaints with Urgency*

1. If, upon conferral with the Executive Director and/or CRC, a complaint is deemed to be one with urgency, the processing of the complaint will be expedited.
2. Additional action may be required, in which case the Executive Director, or designee, will confer with the Chair of the Accreditation Commission to determine appropriate action, which may include:
  - a. Further reducing the notice and response periods and proceeding as in other cases;
  - b. Initiating an announced or unannounced on-site visit by a team of the number and composition appropriate to the circumstances, to be conducted under established procedures for such visits;
  - c. Issuing an Order for Show Cause under the procedures for show cause; and/or
  - d. Presenting the matter to the full Board for review and action as it directs. Any complaint with urgency remaining unresolved 60 days after receipt by the Accreditation Commission may be referred to the Board.

In cases involving paragraphs (b) or (c) above, or where the program has not demonstrated substantial progress leading to closure and/or resolution, the complaint will be forwarded to the Accreditation Commission at its next regularly scheduled meeting for further review and action.

### **9.5 Closure of a complaint**

The determination to close a complaint will be made by vote of the CRC, or in such cases that are referred to the Accrediting Commission by vote of that body. A complaint may be closed specifying that the original allegations were found to be with full merit, partial merit, or without merit. Following a thorough review, a complaint will be closed with partial merit if only some of the original allegations are found to have merit and/or the validated allegation(s) is determined to be minor in nature and scope, with no documented evidence of significant negative impact on trainees or other interested parties.

The complainant and the program will be notified in writing of the CRC's decision, normally within thirteen (13) calendar days of receipt of program's response to the complaint. If no new or additional information is submitted by the complainant within ten (10) calendar days of receipt of the notification letter, the Accreditation Commission will consider the complaint to be officially closed. A complaint may be reopened if information warranting such action is received.

### **9.6 On-site Review of Complaints Filed Against Accreditation Commission Accredited Programs**

During an on-site evaluation visit to a program seeking initial accreditation and reaccreditation, the team will consider complaints filed against the program and received by the Accreditation Commission during the application period for initial applicants and during the most recent accreditation period for accredited programs. Included will be: (1) complaints closed with merit and/or partial merit, (2) open complaints for which the programs received notice and an opportunity to respond, and (3) any open complaints alleging fraud and/or falsification, if upon initial review the basis of the complaint appears to be well founded.

Complaints filed since the last grant of accreditation will also be considered during interim evaluations. The team will receive a summary complaint report identifying, at a minimum, the number of complaints filed against the program, the names of the complainants, the dates of complaint submissions, the subject/nature of the complaints, the Accreditation Commission standards involved, and the complaint resolution (e.g. closed with merit, partial merit, no merit). In evaluating the program's compliance with Accreditation Commission standards, the team will include an assessment as to whether the issues raised in the complaint(s) persist and whether there is any pattern(s) of complaints. If warranted, the team's review of any complaints will be addressed under the relevant Accreditation Commission standard(s) in the team report prepared by the team.

## **9.7 Procedures for complaints against the Consortium Accreditation Commission**

Complaints against the Accreditation Commission shall be detailed in writing or via the Consortium website by the complainant to the Consortium Executive Director, who will forward the complaint to the Chair of the Complaint Review Panel (CRP). The CRP composition is described below. To be considered by the Commission the complaint must relate to Accreditation Commission policies or procedures.

### ***9.7.1 Submitting a Complaint***

To submit a complaint, the Feedback / Complaint Form must be filled out by complainant or individual receiving complaint. Note that except in cases of potential illegal activity, Consortium will not act on anonymous complaints. However, the Consortium will use best efforts to protect the identity of the complainant when it is reasonable to do so. If information that is available in the public domain is provided anonymously, the Consortium may initiate a review based upon the information. The Consortium will use reasonable efforts to inform the complainant before disclosing the complainant's identity.

The Consortium can only act on complaints regarding the Accreditation Commission's inability to meet its policies and procedures. Concerns or allegations outside Consortium's purview should be submitted to the appropriate authority.

The purpose of this policy document is to establish a standard method for processing complaints against the Accreditation Commission regarding their compliance with their policies and procedures and received from a program or program representative that is accredited by the Consortium or in the accreditation review process.

**9.7.1.1 Policies requirements:** The Accreditation Commission must comply with its accreditation policies and procedures and must inform accredited programs of their right to communicate with Accreditation Commission regarding complaints relative to noncompliance with accreditation policies and procedures. Accordingly, the Accreditation Commission will:

1. Maintain a reasonable internal grievance policy to receive and resolve complaints, and disclose said policy in written form.
2. Notify external agencies as required in writing within ten (10) days of any action or complaint filed against it, furnishing with the notification a copy of the items filed against it.
3. Inform participants of their right to contact the U.S. Department of Education with a complaint; post the notice about how to submit a complaint by a) publishing the Complaint Procedure on the Consortium's website in a readily accessible, prominent location; and b) furnishing participants the email, telephone number, and address of Accreditation Commission.

#### *9.7.2 Procedures for processing a complaint*

Composition of the Complaint Review Panel: The Executive Director of Consortium will convene a Complaint Review Panel (CRP) to process the complaint. The CRP will be composed of a public member who will chair the CRP, Consortium's Executive Director, and three additional members, at least two of whom are members of the Commission. There must be an educator, a practitioner; and a public member; none of whom may have a conflict of interest in the matter at hand.

Responsibilities of the Complaint Review Panel: This body may collectively resolve complaints by vote, as authorized by the CRP Chair. Copies of complaints and all related documents will be placed in the Accreditation Commission's administrative file upon resolution. Complaints must relate to the Accreditation Commission's adherence to their accreditation policies or procedures. Complaints may be written or oral and initiated by an identifiable source who is a representative of an accredited program or a program under accreditation review. Anonymous complaints will be considered only if there is the suspicion of illegal activity.

Oral complaints will be routed to the CRP Chair or other designated member of the CRP, who will attempt to obtain the following: 1) name, email, telephone number, and address of the person calling; 2) name and location of the concerned program; 3) caller's status with the program; 4) as appropriate, in addition to the Commission, the names of representatives of the Accreditation Commission whom are involved in the complaint; 5) details of the complaint; and 6) what was done to resolve the complaint prior to calling. This information will be logged and dated. The complainant will be directed to furnish a written complaint within ten (10) days and will be informed that failure to do so may result in the determination that the complaint is not actionable and, therefore, will not be processed further. A verbal complaint may be processed without subsequent written notification if it is determined to be one with urgency, as defined below, upon conferral with the CRP Chair. Anonymity will be honored for callers who do not wish to be identified; however, they must still furnish a complaint in writing per the above policy.

Complaints received in writing will be date stamped and routed to the CRP Chair for an initial determination of both relevance to the Accreditation Commission's adherence to its accreditation standards, and/or accreditation policies and procedures and may subsequently be reviewed with the CRP for further consideration.

Anonymous complaints will be processed per the policy and procedures outlined herein, and specific requests for anonymity by an identifiable source will be honored by all reasonable means. Complaints submitted anonymously must include substantive representation of all allegations relating to the Accreditation Commission's adherence to its accreditation policies and procedures; otherwise, such complaints lacking sufficient detail may lead to a preliminary determination by the CRP Chair that the complaint be dismissed. In such cases, a copy of the complaint will be forwarded to the Accreditation Commission along with a letter of notification indicating that the complaint was determined to be without merit. Information received by the Accreditation Commission not as a complaint, but which indicates that an accredited program may be in violation of Accreditation Commission standards, policies, or procedures, will require the Accreditation Commission to initiate a formal investigation based on that information. Such complaints will be processed per this policy.

#### *9.7.3 Actions upon receiving a complaint*

**9.7.3.1 Initial determinations about a complaint:** Upon receipt of a complaint, the Chair of the Complaint Review Panel (CRP) will first determine if the matter involves the Accreditation Commission's adherence to accreditation policies and procedures. If it does not, a written report will be made of such decision and the matter closed. The complainant(s) and the Accreditation Commission will be notified accordingly.

A further consideration in determining whether to process a complaint is the length of time since the incident alleged in the complaint occurred. Unless there are extenuating circumstances, a complaint regarding an incident that occurred more than six months prior to the date of the complaint will not be processed. If the complaint relates to the Accreditation Commission's adherence to its accreditation policies and procedures, it will be determined to be a complaint with urgency or a complaint without urgency. A complaint will be deemed one with urgency if upon an initial review:

- The basis of the complaint appears to be well founded;
- The seriousness of the issues, degree of potential or actual harm, the number of individuals impacted, and/or the time-sensitivity of the allegations warrant an expedited resolution of the complaint.

**9.7.3.2 Complaints without urgency:** Unless there are mitigating circumstances, complaints without urgency will be processed within the time frames identified below:

1. Within seven (7) calendar days of receipt of the complaint letter, the CRP will provide written notification to the Chair of the Accreditation Commission summarizing the allegations contained therein as related to the Accreditation Commission's adherence to specific accreditation policies or procedures. A copy of the complaint letter will be included in the notification unless the complainant specifically requests anonymity.  
The notification letter will direct the Accreditation Commission to submit a written response addressing the allegations and, if appropriate, demonstrating its efforts to resolve the complaint. Any written notice from the CRP to the Accreditation Commission will be made by email or by other means from which the exact date of delivery can be proved. The Commission's response will be due within ten (10) calendar days from the date the program receives official notification from the CRP.
2. The CRP will review the Accreditation Commission's response to determine that:
  - a. The complaint was resolved by the Commission, and the complaint will be closed in accordance with the policy described below;
  - b. The complaint is being resolved by the Commission, in which case the matter will be regularly monitored by the CRP to its conclusion;
  - c. Additional specific action or information is required from the Accreditation Commission, in which case the CRP will so notify the Accreditation Commission and continue to monitor to conclusion;
  - d. The matter is of sufficient seriousness to require processing as a complaint with urgency.

3. If the Accreditation Commission fails to respond as directed, the complaint may be treated as one with urgency and processed accordingly.
4. Any complaint under this procedure not resolved within 90 days from its receipt by Consortium may be deemed a complaint with urgency and processed accordingly.

**9.7.3.3. Complaints with urgency:**

1. If, upon conferral with the Chair of the CRP, a complaint is deemed to be one with urgency, the processing of the complaint will be expedited.
2. Additional action may be required, in which case the CRP Chair, or designee, will confer with the CRP to determine appropriate action, which may include:
  - a. Further reducing the notice and response periods and proceeding as in other cases;
  - b. Issuing a letter requiring specific action, the necessary documentation, and the timeframe meeting the mandates; and/or
  - c. Presenting the matter to the full Consortium Board of Directors for review and action as it directs. Any complaint with urgency remaining unresolved 60 days after receipt by the Consortium may be referred to the Board.

In cases involving paragraphs (b) or (c) above, or where the Commission has not demonstrated substantial progress leading to closure and/or resolution, the complaint will be forwarded to the Board of Directors at its next regularly scheduled meeting for further review and action.