

20. Policy on Complaints (approved for public comment 6/3/11)

This policy covers complaints against accredited institutions, active applicants, and the Commission and Staff. The Policy is designed to permit a fair and timely investigation of complaints that reasonably allege instances of non-compliance with the standards and policies of DETC. If someone has a complaint against a non-accredited institution, DETC will try to give guidance as to whom the complainant should direct the matter.

DETC has an “Online Complaint System” that lets people file a complaint directly from the DETC web site. The complaint form may be found at www.detc.org (select “Contact Us” and select the link in the left hand column). All complaints must be submitted using this form. For those who cannot access the Internet, written complaints will be accepted provided they include the complainant’s name and contact information and a release from the complainant(s) authorizing the Commission to forward a copy of the complaint, including identification of the complainant(s) to the institution. Where circumstances warrant, the complainant may remain anonymous to the institution, but all identifying information must be given to DETC.

Definition of Complaint

A complaint is defined as notification to DETC by any person or group (including, but not limited to, any student, any faculty or staff of an accredited institution, any member of the general public, any representative of a Federal, State, or local government, and any member of any other institution or organization) that **(1) an accredited institution, its courses, services, conduct, or personnel; or (2) an applicant institution; or (3) the Accrediting Commission or staff of the DETC are not in compliance with one or more DETC’s standards or policies.**

The Commission will not intervene on behalf of individuals in cases of a personnel disciplinary action, nor will it review **an institution’s internal administrative decisions** in such matters as admissions **decisions, academic honesty, assignment of grades** graduation, fees and similar matters **unless the context of an allegation suggests that there may be a violation of DETC standards or policies, or if the context of an allegation suggests that unethical or unprofessional conduct or action may have occurred that might actions that seriously impair or disrupt call into question the institution’s compliance with a DETC standard or policy.** ~~the educational services of an applicant or accredited institution.~~

Further, the Commission will not intervene on behalf of individuals in cases where the situation giving rise to the complaint had occurred so long ago that investigating **and ascertaining** the facts ~~would~~ **might** prove to be problematic. The Executive Director will exercise professional judgment in determining which cases meet this criteria.

1. Complaints Against Accredited Institutions

When the Accrediting Commission of the DETC (hereafter DETC) accredits an institution, it expects that institution to remain in compliance with all of the DETC standards for accreditation throughout the accreditation period granted. Therefore, one of the principal concerns of the DETC when it receives a complaint about an accredited institution is whether the institution is in compliance with the published standards and policies. The burden of proof rests with the institution to prove that it is meeting DETC’s published standards and policies.

Another concern of the DETC is the methods, policies, philosophy, and procedures of the institution for handling complaints on an ongoing basis. The DETC expects its accredited institutions to have operational procedures in place for fairly and promptly resolving complaints so that they do *not* become a matter for concern by outside agencies. Therefore, in investigating a specific complaint against an accredited institution, the DETC also examines whether or not the institution has effective methods for handling student problems on a routine basis. In so doing, the DETC looks to see if the institution's procedures are equitable, consistently applied, and effective in resolving problems.

Finally, the DETC is concerned about the frequency and pattern of complaints about an accredited institution. DETC expects the institution to monitor all complaints it receives, and expects the institution to take steps to ensure that similar complaints do not become repetitive or routine.

Records of Complaints: The DETC maintains records of all complaints received against its accredited institutions and the manner of their resolution for the most recent period of accreditation, normally five years. The DETC makes summaries of these files available to visiting examining committees when they conduct on-site visits to institutions applying for re-accreditation. The Accrediting Commission also considers these summary files when it acts on an institution's application for re-accreditation. The complaints are analyzed according to how the institution handles them or how they were resolved. The complaint files are tabulated and summarized annually (or more often if frequency warrants), and the nature of each complaint and its source is indicated. When an institution accumulates a significant number of complaints in a given area, the institution is advised that there is a problem in that area, and appropriate corrective measures are suggested.

At each meeting of the Accrediting Commission, the Executive Director of the DETC provides the Commission with an analysis of all complaints received since the previous Commission meeting. The analysis will present a summary report on complaints received during the period, any complaints unresolved from the previous period, categories of complaints by nature and source, and any other information the Commission desires regarding the record of complaints received by the DETC.

Action

Regardless of the type of complaint the DETC receives against an accredited institution, the DETC's procedure for handling the complaint consists of the following steps:

1. Within 10 days of receipt of the complaint, the Executive Director of the DETC sends a letter or e-mail to the complainant acknowledging receipt of the complaint and explaining the process the DETC will follow in investigating the complaint.
2. Also within 10 days of receipt of the complaint, the Executive Director forwards the complaint to the institution, requesting a written response from the institution within 15 days of its receipt.
3. Within ~~15~~ **30** days of receipt of the institution's response, the Executive Director reviews the documentation received from both the complainant and the institution. Where the institution has presented sufficient information for disposition, the Executive Director will determine that the complaint has been resolved and close the file on the matter. The institution and the complainant will be notified in writing of the Executive Director's decision.
4. If the Executive Director determines that the matter *has not* been resolved or additional facts are needed, a follow-up will be conducted. If additional information is needed from either the complainant or the institution before the complaint can be resolved, the Executive Director may give that party an additional ~~10~~ **15** days to furnish the information.

NOTE: The failure of the institution to provide either a response to the complaint or any additional information as requested by the Executive Director or another member of the DETC staff within the specified time frames will be considered a violation of the DETC’s policy on complaints and will be referred to the Accrediting Commission for consideration and action.

5. If after completing an investigation of the complaint, to include both a review of the information about the specific complaint as well as a review of the record of complaints the DETC has received about the institution, the Executive Director finds that the institution is not in compliance with DETC’s standards or policies, the Executive Director, acting on behalf of and under authority from the Accrediting Commission, may take one of the following actions:
 - Postpone final action on the complaint for a period not to exceed two months if there is evidence that the institution is making progress in rectifying the situation. In the case of postponement of action, the complainant will be kept informed of the status of the complaint and its final action. **NOTE:** The failure of the institution to rectify the situation by the end of the two-month period will be considered a violation of the DETC’s policy on complaints and will be referred to the Accrediting Commission for consideration and action.
 - Notify the institution that, on the basis of the information provided, the DETC has determined that the institution is failing to meet the DETC standards and that the DETC is taking appropriate action. Such action may include requiring the institution to take specific corrective action and report back to the Accrediting Commission and/or conducting a Special Visit to the institution on an announced or unannounced basis. If circumstances warrant, the Accrediting Commission may initiate action, including a show cause proceeding, that may result in the termination of the institution’s accreditation. If appropriate, it may also include referring the matter to Federal, State, or local agencies for review and possible action.
 - An adverse action against an institution arising from a complaint will not be taken until the institution has had an opportunity to respond to the complaint within the time frames set forth by the Commission and will be subject to appeal.

2. Complaints About Applicant Institutions

The Commission always publishes the list of applicant institutions in its bi-annual “Report from the Accrediting Commission,” which is published in the *DETC News*, the *Washington Memo*, and posted on DETC’s web site.

The Commission routinely, and in a timely manner, publishes the list of applicant institutions in its bi-annual “Report from the Accrediting Commission,” which is published in the *DETC News*, the *Washington Memo*, and posted on DETC’s web site. If the DETC receives a complaint concerning an applicant, the Commission will review the complaint when considering the institution’s application. The DETC will follow the procedure described under “Action” above.

Should DETC learn that an applicant institution is subject to an adverse action by a state agency or another recognized accrediting agency, or has been placed on probation or an equivalent status by another recognized agency, it will promptly review the status of the applicant to determine if DETC should also take an adverse action or issue a show cause order to the institution.

DETC will not accredit an institution, without providing to appropriate government authorities a *thorough and reasonable explanation* for doing so, that is subject to a threatened action, an interim action, or an action taken by another recognized accrediting agency, whereby the end result could lead or has led to suspension, revocation, or termination of the institution’s accredited status.

DETC will not accredit, nor permit an accredited institution to remain accredited, if the institution has lost its state authorization or any required governmental authority to provide education in its state of domicile. Accredited status ceases when the date of a state action to terminate required licensure in the institution’s state of domicile is final.

~~Also, if DETC learns that an applicant institution is subject to adverse action by a state agency or another recognized accrediting agency or has been placed on probation or an equivalent status by another recognized agency, it will promptly review the status of the applicant. DETC will not accredit an institution that is subject to a threatened action, an interim action, or an action take by a state agency or another recognized accrediting agency, whereby the end result could or has lead to suspension, revocation, or termination of the institution’s legal authority to provide postsecondary education or the institution being put on public probationary status, or whereby their accreditation or pre-accreditation status could be revoked.~~

3. Complaints About the DETC Accrediting Commission and Staff

The DETC promptly reviews any complaint it receives against the DETC Accrediting Commission and/or its staff. Because of the seriousness with which it regards complaints of this type, the DETC requests that such complaints be in writing. If a complaint is received orally, the complainant must submit the complaint in writing. Anonymity will be honored only for good cause and at DETC’s discretion in these cases.

Action

The procedures for handling complaints against the Accrediting Commission and/or its staff for alleged violations of DETC’s standards, policies, or code of ethics are as follows:

1. Within 10 days of receipt of the complaint, all materials related to the complaint are forwarded to the Chair of the Accrediting Commission.
2. Within 10 days of receipt of the complaint by the Chair, the Chair sends a letter to the complainant acknowledging receipt of the complaint and explaining the process the DETC will follow in investigating the complaint.
3. Also within ~~10~~ **15** days of receipt of the complaint by the Chair, the Chair reviews the complaint and decides whether any additional information is needed from the complainant, the Commission, and/or DETC staff before the complaint can be considered. If so, the Chair requests that the information be provided to the Chair within 30 days.
4. Within ~~10~~ **30** days of receipt of all the information pertaining to the complaint, including the original complaint and any additional information, the Chair convenes a conference call of the Executive Committee of the Commission to review the complaint.
5. After review of the complaint, the Executive Committee summarizes its findings and presents those to the full Commission at its next regularly scheduled meeting, at which time the Commission reviews the matter and

reaches a final decision. The Commission can make a decision using its best judgment on what action it wishes to take in cases where it has determined that there has been a violation of DETC standards, policies or code of ethics. The action may include personal admonishment, letter of reprimand, or termination. If, however, the Executive Committee determines that the matter is of such urgency that it must be discussed and decided immediately rather than await the next Commission meeting, the Chair will schedule a conference call of the full Commission as soon as possible so that the Commission can review the matter and reach a final decision.

6. The Chair notifies the complainant in writing of the Commission’s decision within 30 days of the close of the Commission meeting (or conference call) during which the complaint was reviewed.

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6/3/11