MEMO TO: John C. Petersen
FROM: Leeward Community College
(Institution)
DATE: October 30, 1992
SUBJECT: Complaint Policy and Accreditation Standard

Please indicate approval or disapproval of the proposal and return this response form to the Commission office at your early convenience. The Commission will act on the proposal after hearing from member institutions.

X APPROVE

DISAPPROVE

Comments:

LCC has a student grievance procedure which meets all the criteria. However, the draft policy and procedure appears to refer to a much broader potential spectrum of complaints than those covered by our grievance procedure (which is designed primarily to handle student complaints about an individual faculty member in matters of grading and conduct of courses). Our grievance procedure would not be appropriate for complaints about other matters covered by accreditation standards, such as adequacy of the library collection or advising services, maintenance of the physical plant, or educational background of the faculty.

The Commission may wish to clarify the kinds of complaints which should be handled in a student grievance procedure.
MEMO TO:    Chief Executive Officer
            ✔Accreditation Liaison Officer
            Chief Student Services Officer
FROM:        John C. Petersen
DATE:         October 29, 1992
SUBJECT:      Request for Review of Proposed Policy and Procedure for Complaints

All accrediting agencies are obligated to respond to complaints submitted by members of the public, from other agencies, and from students. Private institutions in California are required by law to publicize the fact that the Commissions of WASC are available to review complaints. Any citizen may submit a complaint against any public or private accredited two-year institution to this office. The Accrediting Commission for Community and Junior Colleges has for many years published a policy on complaints (see pages 103-104, 1990 Handbook of Accreditation).

Recent legislation requires the California Council for Private Postsecondary and Vocational Education to forward all complaints against WASC-accredited institutions to the Accrediting Commission office. Other agencies such as district attorneys and consumer protection agencies also refer complaints to this office. The Commission believes that the consequent increase in the number of complaints received indicates the need for an improved policy and procedure.

We ask that you review the enclosed draft policy and procedure and the proposed addition to accreditation standards. If you have concerns or suggestions we will appreciate receiving them. Our intent is to provide a process that is fair to all concerned, a policy that clearly limits the scope of issues that can be addressed by the Commission, and which encourages resolution of complaints at the local college level.

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Enclosures
COMPLAINTS AGAINST INSTITUTIONS

Accreditation by the 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 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.

The Commission 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, admissions contracts, granting or transfer of academic credit, fees, student financial aid, student discipline, collective bargaining, faculty appointments, promotion, tenure and dismissals or similar matters. If the complainant has instituted litigation against the institution, no action will be taken by the Commission while the matter is under judicial consideration.

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 has in place a student grievance policy and procedure that is reasonable, fairly administered, and well-publicized. The complainant should demonstrate that a serious effort has been made to pursue all review procedures provided by the institution.

Individual complaints, whether acted upon or not by the Commission, will be retained in the Commission files. 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.

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.
information is received raising issues of institutional integrity, the Commission may invoke the sanctions provided for in policy.

Note: California Education Code Section 94332 requires that complaints filed against WASC-affiliated private institutions in California with the Council for Private Postsecondary Institutions be forwarded to WASC for review.

PROCEDURES

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

   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, appeals hearings, etc.) have been exhausted. The complainant should describe what has been done in this regard.
   d. Attest that the matter in question is not under litigation.
   e. Acknowledge awareness that Commission staff may send a copy of the complaint to the president of the institution.
   f. Sign the complaint.

2. If the Executive Director finds the complaint to be not within the scope of Commission policies and jurisdiction, the complainant will be so notified.

3. 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 complaint in thirty days. A copy of the complaint and correspondence will be sent to the chairperson of the Accrediting Commission.

4. 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).

   Although every effort will be made to expedite this final decision, 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.
5. The complainant and the institution will be notified of the outcome of the complaint.

   a. If the complaint is investigated further, as in 4.b above, the complainant and the institution will be notified of the outcome of the investigation. Prior to the Commission's disposition of the complaint, 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.

   b. If the complaint was referred to ACCJC by another agency, that agency will receive copies of correspondence that state the outcome of the complaint.
PROPOSED ACCREDITATION STANDARD REVISION
STANDARD 3A.4

Current language (1990 Handbook)

3A.5 Policies on student rights and responsibilities, including the rights of due process and redress of grievances and rules defining inappropriate student conduct, are clearly stated, well publicized, and readily available and they are implemented in a fair and consistent manner.

Proposed Addition:

The institution shall have in place a student grievance policy that clearly states the rights of appeal, defines the appellate body, and establishes decision-making authority and responsibility.

The student grievance policy shall be implemented through a procedure which:

Is well-publicized and accessible
States how and by whom the appellate body will be named
Names the person to whom inquiries about grievances are to be directed
Provides for fact-finding
Can be completed within a reasonable time frame
States any limitations on the involvement of advocates.