

BP104

Complaints Against Member Institutions or TRACS

Reference: None

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The Transnational Association of Christian Colleges and Schools (TRACS) values the role of information provided by students, employees, and others in performing its role of monitoring institutional compliance with TRACS Accreditation Standards. TRACS is also interested in assuring that member institutions maintain appropriate complaint / grievance and due process procedures, provide procedural fairness, and consistently apply their policies and procedures.

Complaints Against A Member Institution

The TRACS procedures for the review of complaints involving member institutions are designed to enable TRACS to address possible violations of the TRACS Accreditation Standards and the proper and uniform application by institutions of their own policies and procedures, as they relate to the TRACS Accreditation Standards.

TRACS only considers complaints against member institutions which are in accordance with the following:

- The complaint or allegation contains no defamatory statements.
- All attempts have been taken to resolve the issue through all formal means available to the complainant, including the institution's published complaint / grievance and due process procedures before the complaint is submitted to TRACS.
- The matter regarding the complaint is not currently in an institution's formal proceedings or in litigation. TRACS may, at its discretion, choose to proceed with the review of a complaint in such cases if there is substantial, credible evidence that indicates systemic problems with the institution against which a complaint has been filed or if a delay would harm the complainant.
- The *Complaint Processing Form* and supporting documents are submitted in hard copy and in accordance with the provisions detailed in this policy. Complaints made verbally, anonymously, submitted electronically or through facsimile transmission will not be considered.
- TRACS will not act on complaints submitted on behalf of another party.

The TRACS complaint procedures are for the purpose of addressing any significant noncompliance by member institutions with the TRACS Accreditation Standards, policies, or procedures. The TRACS complaint policy is not designed to involve TRACS either as an arbiter in disputes between individuals and member institutions, or as a reviewing authority in individual matters concerning an institution's normal role in the daily functioning of the institution including disciplinary matters or contractual rights. TRACS does not act as a grievance panel for cases where the outcome of a grievance is unsatisfactory to a complainant.

Thus, TRACS will not interpose itself as an adjudicatory or grievance-resolving body in matters including:

- Admission
- Granting or transfer of academic credit
- Grades
- Fees
- Student financial aid
- Student discipline
- Transcripts
- Collective bargaining, faculty or staff appointments, promotion, tenure, contractual rights and obligations, and dismissals or similar matters.

Responsibilities of Institutions

1. The institution has adequate policies and procedures for addressing student and employee complaints and is responsible for demonstrating that it follows those procedures when resolving complaints. Institutions are expected to be in compliance with the appropriate TRACS Standards regarding processes for handling complaints by students and employees.
2. The record of all complaints is maintained in a designated office, is made available to TRACS upon request and is made available for review by Evaluation Team members as part of the institution's scheduled reviews for Candidate, Accredited and / or Reaffirmation status.

Procedures for Filing a Complaint Against a Member Institution

1. Individuals making an inquiry to TRACS regarding complaint procedures or about issues and concerns that could be considered complaints against a member institution will be directed to the TRACS website with instructions for downloading this policy (BP104) and the TRACS *Complaint Processing Form*. TRACS' response and its obligations to meet the specific timetables outlined in this policy will begin only after the complainant has submitted all required documents.
2. A formal complaint against a member institution is one that is:
 - a. Submitted in hard copy using the TRACS *Complaint Processing Form* (including all required supporting documentation). Complaints made verbally, anonymously, submitted electronically or through facsimile transmission will not be considered.
 - b. Addressed to:

TRACS President
Transnational Association of Christian Colleges and Schools
15935 Forest Road
Forest, VA, 24551
3. Once the complainant has filed a complaint against a member institution, the following procedures will be followed for review and consideration of the complaint:
 - a. TRACS will acknowledge receipt of the complaint within 15 working days.
 - b. Within 30 working days of receipt of the complaint, TRACS staff will review the complaint and its documentation and determine:
 - i. Whether the issue(s) raised in the complaint fall within the purview of TRACS and if the issues(s) are related to one or more of the TRACS Accreditation Standards;
 - ii. If there is adequate documentation in support of the complaint; and

- iii. Whether the complaint raises questions regarding the institution's compliance with the TRACS Standards sufficient to require the institution to submit information and documentation regarding the complaint.
- 4. By the end of the 30 working days review, TRACS will inform the complainant regarding one of the following dispositions of the complaint:
 - a. The complaint will not be processed further because the issue(s) raised in the complaint do not fall within the jurisdiction of TRACS (not related to a TRACS Standard) or because there is inadequate documentation to raise questions concerning the institution's compliance with TRACS Standards.
 - b. Documentation is inadequate and additional documentation may be necessary from the complainant.
 - c. The institution will be required to submit information and documentation regarding the complaint.
- 5. If the institution is required to submit information and documentation regarding the complaint, TRACS will forward a copy of the complaint to the institution's Chief Executive Officer who will be required to respond to the issue(s) raised in the complaint and provide supporting documentation to TRACS within 30 working days of receipt of the notification from TRACS
- 6. Within 30 working days of receipt of the institution's response, the President of TRACS will make one of the following determinations regarding the complaint and will notify the institution and complainant accordingly:
 - a. There is insufficient evidence of significant non-compliance on the part of the institution and the complaint will not be processed further. The decision of the President of TRACS is final.
 - b. TRACS is unable to determine compliance at that time and the case will either be included in any already scheduled visits to the institution or if Focus Team will be sent to the institution to examine documents, interview appropriate individuals, make a determination regarding the compliance of the institution, and prepare a report with recommendations for the institution to bring areas of non-compliance into compliance.
 - c. No response was received from the institution or evidence suggests the institution is in significant non-compliance with one or more TRACS Standards and what steps will be taken to correct the non-compliance issues, up to and including possible adverse action.
- 7. If the President of TRACS determines that either b. or c. above is applicable, by the end of the 30 working days, the President of TRACS will notify the complainant and the institution that a determination regarding the complaint has been made and which of the above options TRACS will pursue.
- 8. As appropriate, the President of TRACS will present the findings of any Focus Team report to the Commission along with a recommendation for specific action at the next scheduled meeting; at which time the Commission will make a decision regarding the disposition of the complaint and any determinations of non-compliance. The decision of the Commission is final.
- 9. Following the Commission meeting, the complainant and institution will be notified of the final decision of the Commission.

TRACS BP211. B. stipulates the following:

When the President of TRACS determines from an institution's annual report, the findings of an Evaluation Team, the findings of a staff visit, findings resulting from a complaint against an institution, or any other source available that an institution may not to be in compliance with one or more of the Accreditation Standards, the President of TRACS will initiate a review of that institution.

Any findings of non-compliance discovered from that review may lead to an action against the institution.

Complaints Against TRACS

Complaints against TRACS are limited, in that:

(1) Individuals may file a complaint against TRACS on matters on which they believe they have been personally aggrieved. This type of complaint covers those situations in which an individual believes that TRACS staff did not follow TRACS policies and procedures in the handling of a previously filed complaint against a member institution.

(2) Institutions may file a complaint against a TRACS staff member, an agency representative, or TRACS Commissioner for an alleged failure to follow TRACS policy or procedure, for an alleged bias against the institution, or if there is an alleged conflict of interest with a TRACS staff member or TRACS Commissioner in dealing with an institution.

In order to be considered a formal complaint against TRACS, a complaint must involve issues broader than a concern about a specific institutional action.

Procedures for Filing a Complaint Against TRACS

1. Individuals making an inquiry to TRACS regarding complaint procedures or about issues and concerns that could be considered complaints against a TRACS staff member, or a member of the TRACS Commission will be directed to the TRACS website with instructions for downloading this policy (BP104) and the TRACS *Complaint Processing Form*. TRACS' response and its obligations to meet the specific timetables outlined in this policy will begin only after the complainant has submitted all required documents.
2. A formal complaint is one that is:
 - a. Submitted in hard copy using the TRACS *Complaint Processing Form* (including all required supporting documentation). Complaints which are not in writing, anonymous, or sent electronically or through facsimile transmission will not be considered.
 - b. Addressed to one of the following as appropriate to the complaint:
 TRACS President / TRACS Commission Chair / TRACS Commission Vice-Chair
 Transnational Association of Christian Colleges and Schools
 15935 Forest Road
 Forest, VA, 24551
3. Once the complainant has filed a complaint against TRACS, the following procedures will be followed for review and consideration of the complaint:

If the complaint is against a TRACS staff member or an agency representative, the following procedures apply:

- a. The individual should submit the complaint to the TRACS President that includes a description of the complaint and all supporting documentation.
- b. The President will acknowledge receipt of the complaint within 15 working days of its receipt.
- c. Within 30 working days of receipt of the complaint, the President of TRACS will review the complaint and its documentation and determine:
 - i. If there is adequate documentation in support of the complaint.

- ii. Whether the complaint raises questions regarding a failure of TRACS and/or and agency representative in following TRACS policies and procedures in the matter(s) noted in the complaint.
- d. The President will inform the complainant of the disposition of the complaint within 30 working days of receipt of the complaint.

If the complaint is against the President of TRACS or a member of the TRACS Commission, the following procedures apply:

- a. The individual should submit the complaint to the TRACS Commission Chair that includes a description of the complaint and all supporting documentation.
- b. The Chair will acknowledge the complaint within 30 working days of receipt and will designate a committee composed of members of the Executive Committee of the Accreditation Commission to (1) review the complaint (including all documents submitted by the complainant), (2) request and review information submitted in writing from the President of TRACS or the Commissioner in question and (3) propose a recommend action to the Chair within 30 working days of the beginning of the Executive Committee's review.
- c. The Chair will review the Executive Committee recommendation and inform the complainant and the President of TRACS or the Commissioner in question of action to be taken within 30 working days of receipt of the Executive Committee's recommendation.

If the complaint is against the TRACS Commission Chair, the Vice Chair will assume the role detailed above and the complaint should be sent to the TRACS Commission Vice Chair.

Complaints and the News Media

TRACS believes that it is in the best interest of TRACS, complainants, and member institutions to deal with members of the news media in a consistent and timely manner. TRACS has the responsibility to protect the integrity and privacy of both the complainant and the institution. All telephone calls or e-mails from members of the media shall be forwarded to the President of TRACS. Neither the President of TRACS nor any staff member shall comment on specific situations involving member institutions or offer responses to hypothetical situations.

Media shall be directed by the President of TRACS to the appropriate location on the TRACS website for information regarding the Complaint Policy and TRACS Standards.

Means of Communication

After the receipt of an official complaint, follow-up correspondence may be in writing, through e-mail, or by any reasonable means which helps to facilitate a solution to the issues at the lowest possible level.

Retention of Records

Official complaints will be retained in the TRACS Office. Should a number of official complaints against a member institution suggest a pattern of concern which may evidence a significant lack of compliance with TRACS Standards that was not evident from any individual complaint, TRACS may renew its consideration of the matter for whatever action may be appropriate. All records regarding official complaints shall be retained for a minimum of 5 years.