

Policy and Procedures for the Consideration of Complaints against Affiliated Institutions

Scope

Accreditation by the New England Commission of Higher Education (NECHE) represents the Commission's judgment that the institution meets the Commission's *Standards for Accreditation* and demonstrates that it has clearly defined purposes appropriate to an institution of higher learning; has assembled and organized those resources necessary to achieve its purposes; is achieving its purposes; and has the ability to continue to achieve its purposes.

Federal regulations implementing the Higher Education Act require that accrediting agencies publish a clear policy that articulates the process by which individuals may submit information that helps in determining whether an institution's performance is consistent with the Commission's *Standards for Accreditation* and applicable policies and procedures.

Accordingly, the Commission's complaint procedures are solely for the purpose of reviewing and addressing allegations of an institution's significant non-compliance with the Commission's *Standards for Accreditation*. The Commission will not adjudicate isolated individual grievances or disputes, nor will it act as a court of appeal in institution-specific decisions, including those relating to admissions, granting or transfer of academic credit, transcripts, grade appeals, financial aid, fees, student discipline, collective bargaining, or faculty appointments, promotions, tenure, or dismissals. NECHE's complaint process may not be used to secure an individual remedy from an institution on behalf of a complainant.

Criteria for Consideration of a Complaint

A complaint should meet the following ten criteria to be considered by the Commission:

1. The complaint inquiry should relate to systemic institutional conditions that raise questions about an institution's compliance with the *Standards for Accreditation*. The Commission's complaint process is not designed to address individual grievances or disputes, nor to provide dispute resolution to those issues.
2. Provide evidence that supports the complainant's claim that the institution is in violation of specific *Standards for Accreditation*. Such evidence should state relevant and provable facts beyond general allegations. All evidence must be submitted in a manner that, once submitted, can no longer be edited. For instance, evidence cannot be submitted

via a live webpage or other shared document.

3. Demonstrate that an effort has been made to implement the published grievance or complaint procedures provided within the institution, when appropriate.
4. Include full disclosure about any other external channels the complainant is pursuing to resolve the complaint, including legal action. The Commission may choose not to act on a complaint filed by an individual in litigation with the institution. However, in special circumstances where the matter alleged has the potential to jeopardize the institution's accreditation, the Commission may, at its discretion, choose to review the complaint.
5. Be submitted in a timely manner and refer to current or recent matters at the institution. Except in special circumstances, the Commission will not consider complaints if the conditions alleged occurred more than three years prior to the filing of the complaint.
6. Include a summary of the resolution that the complainant is seeking.
7. Not relate to matters that the complainant has previously submitted in complaints and/or that have been acted upon by the Commission.
8. Be submitted by the complainant, or at the direction of the complainant, and not by an individual acting on behalf of the complainant, unless evidence is provided to confirm that the complainant is unable to submit the complaint on their own.
9. In all instances, the complainant must provide their name and contact information to the Commission. However, at its discretion, and if appropriate, Commission staff may choose to follow up with an anonymous complainant, if sufficient contact information is provided.
10. The complaint should be submitted in writing, in English, using one of the methods identified in this policy (please see "Submitting a Compliant Inquiry," below). The complaint must be signed and include the complainant's contact information and permission for the complaint and related materials to be forwarded to the institution. In instances where the complainant chooses to keep their personally identifiable information confidential from the institution, it is the sole responsibility of the complainant to redact and/or remove personal information from the materials provided.

Submitting a Complaint Inquiry

A complaint inquiry can be submitted through any of the following methods:

- The [Commission's Complaint Form](#) available on the NECHE website
- By email to: complaintinquiries@neche.org
- By mail to:
Attn: Complaint Review Team
New England Commission of Higher Education
301 Edgewater Place, Suite 210

Wakefield, MA 01880

- Complainants with a disability or who otherwise need assistance in submitting a complaint should direct questions about the Commission's complaint policy, *Standards for Accreditation*, or the criteria specified above to the Commission staff at complaintinquiries@neche.org or by phone at (781) 425-7720.

Complaint Timeline

The Commission recognizes the importance of timely resolution of complaints, consistent with fairness to the complainant and the institution. In cases where circumstances beyond the Commission's control necessitate modification of the timeline below, the involved parties will be so informed.

1. Complainant submits a complaint inquiry to the Commission.
2. Commission staff review the inquiry and evidence and will respond within 30 working days (excluding weekends and holidays).
 - a. If the inquiry does not meet the criteria or falls outside the scope of accreditation, the complainant is notified. The matter is closed.
 - b. If the inquiry is accepted as a complaint, the complainant is notified, and the complaint and evidence are sent to the institution for a response.
3. The institution has 30 working days (excluding weekends and holidays) to respond to a complaint.
4. The Commission reviews the complaint, evidence, and institution's response at its next regularly scheduled meeting.
5. The Commission's decision will be communicated to the complainant in a notification letter within 30 days of the Commission's decision. The Commission's decision is final.

Staff Review

Commission staff who do not have a conflict of interest in the matter (see [Policy on Conflict of Interest](#)), will review a complaint inquiry and respond within 30 working days of receipt (excluding weekends and holidays) on whether or not the complaint inquiry will be further reviewed by the Commission. As part of their review, Commission staff may share a complaint inquiry with the institution identified in the complaint to assess whether the complaint inquiry meets the criteria outlined in Commission's policy, or to encourage the institution to address the inquiry directly with the complainant.

1. If a complaint inquiry meets the ten criteria outlined above, is within the scope of Commission policies and jurisdiction, and is adequately documented, a copy of the complaint and supporting documentation is forwarded to the institution's chief executive officer.
 - a. The institution must provide a response within 30 working days (excluding weekends and holidays).
 - b. The matter is then placed on the agenda of the next regularly scheduled Commission meeting.

2. If the complaint inquiry does not meet each of the ten criteria outlined above and/or is found to be not within the scope of Commission policies and/or jurisdiction, the complainant is informed. As applicable, staff may advise the complainant regarding the Commission's standards, policies, and procedures and the complainant may revise and resubmit an updated complaint inquiry. Individuals with concerns that do not meet the criteria for complaints may be advised to submit a [Public Comment](#). Otherwise, the matter is closed, and the complainant is notified.
3. In the event a complainant revises or updates a complaint after it has been accepted, Commission staff will treat it as a new complaint inquiry and respond to the revised complaint within 30 working days (excluding weekends and holidays) in accordance with procedures for Staff Review above.

The Institution's Response

If the institution acknowledges the complaint is valid, it must advise the Commission in writing of the actions taken to rectify the situation. Should the institution deny that the complaint is valid, it must provide the Commission with a written response indicating why it believes the allegations made are either untrue or do not represent a breach of the Commission's *Standards for Accreditation*. Such a response should include supportive documentation where appropriate.

Once an institution has responded to a complaint, the Commission may request additional information from the complainant at any time during the complaint process.

Member institutions shall not take retaliatory action against an individual who has filed a complaint with the Commission, or against an individual who expresses concerns privately to the visiting team at the time of a comprehensive evaluation or other institutional visit. Allegations of retaliatory action will be reviewed by the Commission. If the Commission finds that an institution has taken any form of retaliatory action in response to the filing of a complaint, the Commission will treat such action as a violation of Standard 5 on *Integrity, Transparency, and Public Disclosure* and may take appropriate and necessary action.

The Commission's Review and Decision

At its next regularly scheduled meeting, the Commission will consider the complaint and the institution's response, and act as it deems appropriate. The Commission Chair, at their sole discretion, may call a special meeting to act on a complaint when it is believed to be in the public interest to do so. In keeping with the Commission's [Policy on Conflict of Interest](#), commissioners who have a conflict of interest with the complainant or institution will not participate in the complaint review and decision process.

The complainant and the institution are notified in writing of the Commission's determination regarding the complaint within 30 days of the Commission meeting. The Commission's decision is final.

Complaint materials and the Commission's decision become part of the institution's NECHE file. At the time of an institution's comprehensive evaluation, if the Commission has received

several complaints concerning the same matter during the last accreditation cycle, the Commission will provide the visiting team with a summary of those complaints and their disposition. The visiting team is then asked to confirm that the institution's practice in the matter is in compliance with the *Standards for Accreditation*.

Right to Terminate Processing

The Commission or its staff reserves the right to terminate processing on a complaint inquiry or suspend consideration of future complaint inquiries and/or complaints by the complainant(s) for a period of up to five years if the complainant is threatening or aggressive in communications with the Commission or Commission staff, or if in the judgment of the Commission or its staff, the repetitive nature and volume of the complaints by the complainant results in a waste in resources counter to the Commission's mission, or rises to the level of harassment. Commission staff may present such circumstances to the Commission for consideration under this provision. Should a complainant who has been suspended from submitting complaints elect to submit a complaint about a matter not previously acted upon by the Commission, staff will determine if the complaint warrants processing, and the complainant will be advised accordingly.

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