

Policy and Procedures for the Consideration of Complaints against Affiliated Institutions

Accreditation by the New England Commission of Higher Education 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.

The Commission values information provided by individuals to help in determining whether an institution's performance is consistent with the *Standards for Accreditation* and Commission policies and procedures. While it cannot intervene in the internal procedures of institutions or perform as a regulatory body, the Commission can and does respond to complaints regarding allegations of institutional conditions that raise significant questions about the institution's compliance with the *Standards for Accreditation* or the *Criteria for Candidacy*.

The Commission's complaint process is not designed to address individual problems or provide dispute resolution. The *Standards for Accreditation* require that institutions have well-publicized and fairly administered policies and procedures for handling complaints or grievances from faculty, staff, or students. The Commission expects that individual grievances will be handled through internal procedures at the institution.

Because the Commission's complaint procedures are solely for the purpose of addressing significant non-compliance with the *Standards for Accreditation*, the Commission does not consider allegations concerning the personal lives of individuals connected with affiliated institutions. It assumes no responsibility for adjudicating isolated individual grievances, nor will it act as a court of appeal in such matters as admission, granting or transfer of academic credit, transcripts, financial aid, fees, student discipline, collective bargaining, or faculty appointments, promotion, tenure, and dismissals.

Criteria for Consideration of a Complaint:

A complaint must meet eight criteria to be considered by the Commission. A complaint must:

1. Focus on general institutional conditions, not individual grievances.
2. Cite specific *Standards* or *Criteria* that may be violated and provide substantial evidence of such violation. Such evidence should state relevant and provable facts beyond general allegations. Evidence cannot be submitted via a live

- webpage or other shared document. All evidence must be submitted in a manner that, once submitted, can no longer be edited.
3. Demonstrate that a serious effort has been made to pursue grievance or complaint procedures provided within the institution.
 4. Include full disclosure about any other external channels the complainant is pursuing to resolve the complaint, including legal action.
 5. Be submitted in a timely manner and refer to current or recent matters at the institution. Except in extraordinary 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 the complainant is seeking.
 7. Not relate to matters that the complainant has included in complaints or public comments previously submitted to and acted upon by the Commission.
 8. Be submitted through the Commission's Complaint Form available on the NECHE website. The complaint must be signed and include permission for the form and related materials to be forwarded to the institution. The Commission does not accept anonymous complaints.

The Commission may choose not to act on a complaint filed by an individual in litigation with the institution. However, in extraordinary 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.

Procedures and Timeline for Reviewing Complaints

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. Commission staff review and respond to complaints or inquiries about complaints within 30 working days of receipt.
 - a) If the complaint does not meet each of the eight criteria outlined above and/or is found to be not within the scope of Commission policies and/or jurisdiction, the complainant is informed and the matter closed. (Individuals with concerns that do not meet the criteria for complaints may be advised to submit Public Comments.)
 - b) If the complaint meets the eight criteria outline above, appears to be 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, who is requested to provide a response within 30 working days. The matter is then placed on the agenda of the next Commission meeting.

- c) In the event a complainant revises or updates a complaint after it has been accepted, Commission staff may review and respond to the revised complaint within 30 working days in accordance with paragraphs a) and b) above.
2. If the institution acknowledges the complaint is valid, it advises the Commission in writing of the actions taken to rectify the situation. Should the institution deny that the complaint is valid, it provides the Commission a written response indicating why it believes the allegations made are either untrue or do not represent a breach of the Commission's standards. Such a response should include supportive documentation where appropriate.
3. At its next scheduled meeting, the Commission considers the complaint and the institutional response and takes action 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 in the public interest to do so.
4. The complainant and the institution are notified in writing of the Commission's determination regarding the complaint within 30 working days after the Commission meeting.
5. 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 9 on *Integrity, Transparency, and Public Disclosure* and may take action as it deems appropriate and necessary.
6. Complaints against institutions accredited by other recognized institutional accrediting bodies will be referred to the appropriate accrediting agency.
7. 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 three or more complaints concerning the same matter during the last accreditation cycle, it provides 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*.
8. The Commission will not act on a complaint submitted on behalf of another individual, unless evidence is provided to confirm that such complainant is incapacitated or otherwise unable to act on his/her behalf.
9. The Commission generally discloses the identity of the complainant; however, in extreme circumstances, the Commission may determine that a matter of concern is best submitted to the chief executive officer of the institution for response without identifying

the name of the complainant. In all instances, the complainant must self-identify to the Commission and provide permission to have the complaint submitted to the institution.

10. Once an institution has responded to a complaint, in unusual circumstances and at its sole discretion, the Commission may send the institution's response to the complainant along with a request for additional information.

The Commission processes complaints as stated in this policy, using good faith in its review. The Commission reserves the right to terminate any further processing on a complaint 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(s) is threatening or aggressive in communications with the Commission or Commission staff, or in the judgment of the Commission, the repetitive nature and volume of the complaints by the complainant(s) rise to the level of harassment.

September 1993
November 1998
May 2009
September 2010
November 2012
March 2014
July 2020
September 2022
March 2023