

POLICY FOR COMPLAINTS ALLEGING VIOLATIONS OF EDUCATION STANDARDS in EDUCATIONAL PROGRAMS

The Accreditation Commission of the Association for Clinical Pastoral Education (ACPE) takes seriously any complaint alleging violations of education standards within accredited programs. Such complaints should be directed promptly to the Chair of the Accreditation Commission. The Accreditation Chair, in consultation with the ACPE Accreditation Staff, will commence the Education Review Process (ERP) – outlined below and detailed in the *Accreditation Commission Manual for Processing Allegations of ACPE Education Standards Violations*.

Education Program Complaint Review Process

I. General Information

A. A **complaint** is a **grievance** presented in writing and signed, involving an alleged violation of the education criteria established by the *ACPE Accreditation Standards (300's)*. The complaint must identify the specific standard(s) alleged violated. Complaints may be registered by those who consider themselves harmed by an alleged violation or by any person(s) having substantive knowledge of a violation of the *Education Standards (300's)*.

B. The complaint must name an individual(s) and/or program over which the Accreditation Commission [Commission] has jurisdiction. The person filing the complaint consents to the Commission complaint process and gives permission for the disclosure to the Commission, its representatives, and the respondent of all information necessary to process the complaint. In most instances, the complainant will be asked to submit an Accreditation *Education Complaint Form*.

II. Inquiries and Filing of Complaints

A. Complaints, or inquiries about filing them, are directed to the Chair of the Accreditation Commission [Chair] at: *ACPE*

*1549 Clairmont Road, Suite 103
Decatur, GA 30033*

If a complaint is not on an *Education Complaint Form*, the Chair will contact the complainant and request this be done if reasonably possible. The Chair will supply the complainant the form, a copy of the *ACPE Accreditation Standards (300)*, and the *Accreditation Commission Manual for Processing Allegations of ACPE Education Standards Violations* or the web address for each.

B. When the Chair receives a complaint form, the Chair sends it to the respondent/program named in the complaint and to the Accreditation Staff. The respondent will also be sent a copy of the *Accreditation Commission Manual for Processing Allegations of ACPE Education Standards Violations* and *Education*

Complaint Response Form. The respondent has thirty (30) calendar days from the time of receiving the complaint material to complete the response form and return it to the Chair.

III. Initial Review

A. Within a reasonable time of receiving the complaint and the respondent's response, the Chair with the Accreditation Staff will determine whether or not the Commission has jurisdiction over the persons, program and allegations. Jurisdiction requires that:

1. the respondent-individual-program is a member/program accredited by the Commission;
2. the complaint alleges a violation which if it occurred would violate the Commission's education standards;
3. the alleged violations occurred in a context and during a time the member's/program's conduct was subject to the Commission's standards, and
4. the alleged violation falls within twelve months of the date of *filing* the complaint with the Chair. In unusual circumstances, at the discretion of the Chair with the Accreditation Staff, these limits may be extended.

B. If jurisdiction is established, the Chair with Accreditation Staff determines the direction the complaint will move. More than one option may be chosen:

1. Dismiss the complaint if no jurisdiction.
2. Dismiss the complaint without prejudice if it appears the situation is one that could be reasonably addressed by the parties and insufficient attempt has been made to seek resolution. The Chair may suggest approaches to resolution.
3. Offer a mediation opportunity if appropriate.
4. Refer the complaint for investigation and review.
5. The Chair may implicate additional violations of standards not named by the complainant. The respondent will be informed of those additions at the time of the investigation in order to respond.

C. Notification: As soon as reasonably possible the Chair will send notification by certified mail to the complainant and respondent of the action to be taken. If there will be an investigation, the notification will include the specific allegations, the standards alleged violated and the name, address and phone number of the investigator(s).

IV. The Investigative Phase: When an investigation is warranted, the Chair and the Accreditation Staff will appoint an investigator. The investigator must have training in processing complaints and be a former Commission member. The investigator will conduct the investigation according to the processes set forth in the *Accreditation Commission Manual for Processing Allegations of ACPE Education Standards Violations*.

V. The Case Review

A. A sub-committee of the Accreditation Commission is the designated case review body. The Committee Chair receives the investigative report and convenes the Committee to review the report, take follow-up action as necessary and recommend any enforcement action. The Accreditation Commission receives the Committee's enforcement recommendations and takes final action.

B. The Committee Review will follow the procedures set forth in the *Accreditation Commission Manual for Processing Allegations of ACPE Education Standards Violations*.

C. After reviewing the evidence and deliberating, the Committee shall reach one of two decisions:

1) No violation of Education Standards occurred.

2) A violation of the Education Standards did occur and the Committee will take follow-up action with the program as necessary to rectify the violation and guard against future violations.

D. When Committee finds a violation did occur, it may recommend enforcement actions to the Accreditation Commission which will follow-up, enact as appropriate, and perform the notification and record-keeping functions designated in the *ACPE Accreditation Manual, 2010 edition*.

VI. Notification of Findings and Action for Case Review & Appeals Process

A. The Committee Chair will notify the member/program and complainant of the action taken. The notification to both parties of the complaint will be sent by certified mail, return receipt requested, and shall include notification that either may appeal the decision. The limited grounds for appeal will be stated. Both shall be instructed not to make the notification public until the appeals process is over.

B. No public notification shall be made until after the appeal process is completed.

C. When no appeal is filed, an appeal is denied, or after the appeal process is completed, notification shall occur according to the Accreditation Notification process in the *ACPE Accreditation Manual, 2010 edition*.

VII. Appeals Process

A. Appeals of Committee decisions and actions are sent to the Chair of the Accreditation Commission, who will appoint three members of the Commission not otherwise involved in the case to serve as the Appeal Panel.

B. The complainant may appeal the decision but not the follow-up actions or enforcement recommendations. The respondent may appeal either or both.

C. The Appeals Process shall follow the procedures set forth in the *Accreditation Commission Manual for Processing Allegations of ACPE Education Standards Violations*.

D. Grounds for appeal are limited to (a) the party was refused reasonable opportunity to obtain and present evidence within the *Accreditation Commission Manual for Processing Allegations of ACPE Education Standards Violations*, (b) gross irregularity in the proceedings as established by these guidelines, either of which would have led to a substantially different outcome.

E. If the appeal is not granted, the Committee follow-up actions and any Commission enforcement proceed.

F. Appeal decisions by the Commission are final and binding on the Commission, ACPE and its members and programs.