

BP104 - Complaints

Reference: 34 CFR 602.16(a)(1)(ix); 34 CFR 602.23(c)
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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 and policies and in ensuring that TRACS staff and Accreditation Commission members follow the policies of TRACS in their dealings with institutions and related constituencies. TRACS is also interested in ensuring that member institutions maintain appropriate complaint/grievance and due process policies and procedures, and that institutions consistently apply these policies and procedures, and provide procedural fairness.

Complaints Against A Member Institution

The TRACS procedures for receiving and processing complaints involving member institutions are designed to enable TRACS to address possible non-compliance with the TRACS Accreditation Standards, and policies, or procedures and to ensure the proper and uniform application by institutions of their own policies and procedures.

TRACS only considers complaints against member institutions which meet the following criteria:

- The complaint or allegation contains no defamatory statements.
- Reasonable 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 either in hard copy or via the on-line complaint submission process and in accordance with the provisions detailed in this policy. Complaints made verbally, or by any method not prescribed in this policy will not be considered.
- TRACS will not act on complaints submitted on behalf of another party unless there is a compelling reason to do so. Such exceptions would be determined jointly by the President of TRACS, the CFO of TRACS and any other senior TRACS staff employed at the time.

The TRACS complaint procedures are for the purpose of addressing any significant non-compliance or potential non-compliance by member institutions with the TRACS Accreditation Standards, policies, or procedures.

The TRACS complaint procedures are not designed to involve TRACS either as an arbiter in irrelevant 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 an appeal panel for cases where the outcome of an institutional complaint/grievance process 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 must have adequate policies and procedures for addressing student and employee complaints/grievances and is responsible for demonstrating that it follows those policies and procedures when resolving complaints.
2. A record of all complaints must be maintained in a designated office, made available to TRACS upon request, and made available for review by Evaluation Team members as part of the institution's scheduled reviews for Candidate, Accredited and/or Reaffirmation of Accreditation status, or by TRACS staff as a part of the complaint review process.

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 appropriate page of the TRACS website. This webpage will provide a link to this policy (BP104) and access to the TRACS *Complaint Processing Form*. The *Complaint Processing Form* may be completed and submitted on-line or may be downloaded, completed, and mailed to the TRACS office. TRACS' response and its obligations to meet the specific timetables outlined in this policy will begin only after the complainant has submitted by either of the methods prescribed in this policy.
2. A formal complaint against a member institution is one that:
 - a. Is submitted by either of the methods prescribed in this policy
 - b. Includes all required supporting documentation.
 - c. If mailed, is addressed to:
TRACS President
Transnational Association of Christian Colleges and Schools

15935 Forest Road
Forest, VA, 24551

3. Once a complaint has been received, TRACS will acknowledge receipt of the complaint within 15 working days
4. If the complaint was not submitted according to one of the methods prescribed in this policy, or if any relevant information is missing from the complaint, TRACS will contact the complainant with guidance that will allow the complainant to either refile the complaint or provide the necessary information.
5. Once an official complaint which meets all prescribed criteria has been received, by the end of 30 working days, TRACS will inform the complainant regarding one of the following initial determinations regarding the complaint:
 - a. The complaint will not be processed further because the issue(s) raised in the complaint do not fall within the purview of TRACS (are not related to a TRACS Standard and/or TRACS policies and procedures) or because there is inadequate documentation to raise questions concerning the institution's compliance with TRACS Standards and/or TRACS policies and procedures.
 - b. The issue(s) raised in the complaint fall within the purview of TRACS (are related to a TRACS Standard and/or TRACS policies and procedures) and the institution will be required to respond to the issue(s) raised in the complaint, via the Institutional Staff Review / Institutional Staff Review Financial (ISR/ ISRF) processes. (See TRACS Policy BP207 - Institutional Staff Reviews).
6. If the institution is required to respond to the issues raised in the complaint, TRACS will initiate a Compliance Report on the TRACS portal. The institution will be notified when the Compliance Report has been initiated. The Compliance Report will provide the mechanism by which the institution will respond to the issue(s) raised in the complaint and will allow the institution to submit supporting documentation in support of the response. The Compliance Report will be due within 30 working days of the initiation of the Compliance Report. A copy of the complaint and supporting documentation will be attached to the Compliance Report. If the complaint was filed anonymously, the name of the complainant and all information related to the complainant will be redacted in the copy of the complaint that is provided to the institution.
7. Within 30 working days of receipt of the institution's Compliance Report response, TRACS staff, in consultation with the President of TRACS, will make one of the following final determinations regarding the complaint and will notify the institution and complainant accordingly:
 - a. There is insufficient evidence of significant non-compliance with TRACS Accreditation Standards and/or TRACS policies and procedures on the part of the institution and the complaint will not be processed further.
 - b. TRACS is unable to determine the institution's compliance with TRACS Accreditation Standards and/or TRACS policies and procedures based on the information available and the matter will

either be included in any already scheduled visits to the institution or a Focus Team will be sent to the institution to make a determination regarding the institution's compliance with the matters in question.

- c. If no response was received from the institution or if evidence suggests the institution is in non-compliance with one or more TRACS Standards and/or TRACS policies and procedures, the institution will be required to present the actions that will be taken to correct the non-compliance issues, or face possible sanction or adverse action.
8. Once a final determination is made, the President of TRACS will notify the complainant and the institution that a final determination regarding the complaint has been made and which determination was made.
9. As appropriate, the President of TRACS will present the totality of the documentation concerning the complaint 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 ultimate disposition of the complaint and any determinations of non-compliance. In such cases, the decision of the Commission is considered final, unless the decision of the Commission is Termination. Termination is an appealable action according to TRACS Policy BP211.
10. Following the Commission meeting, the complainant and institution will be notified of the final decision of the Commission.

Complaints Against TRACS

Complaints against TRACS are limited, in that:

- 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 a member of the TRACS staff or a member of the Accreditation Commission failed to follow TRACS policies and procedures in the handling of a previously filed complaint against a member institution.
- 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 member of the TRACS staff or Accreditation Commission will be directed to the appropriate page of the TRACS website. This webpage will provide a link to this policy (BP104) and access to the TRACS *Complaint Processing Form*. The *Complaint Processing Form* may be completed and submitted on-line or may be downloaded, completed, and mailed to the TRACS office. 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:
 - a. Is submitted by either of the methods prescribed in this policy
 - b. Includes all required supporting documentation.
 - c. If mailed, is addressed to: (as appropriate)
TRACS President/Commission Chair/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 either a member of TRACS staff or the Accreditation Commission, the following procedures will be followed for review and consideration of the complaint:

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

- a. The President will acknowledge receipt of the complaint within 15 working days.
- b. Within 30 working days of receipt of the complaint, the President of TRACS will review the complaint and its documentation and determine:
 - i. Whether the issues raised in the complaint raises questions regarding a failure of TRACS staff and/or an agency representative in following TRACS policies and procedures in the matter(s) noted in the complaint.
 - ii. If there is adequate documentation in support of the complaint.
- c. 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 Chair will acknowledge the complaint within 15 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 review.
- b. The Chair will review the 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 recommendation.
- c. If the complaint involves a member of the Executive Committee, the Chair will appoint another member of the Accreditation Commission to serve on the committee reviewing the complaint.

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 subject of the complaint. 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 the subject of any complaint 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, via the TRACS portal (if the subject of the complaint is a member institution) 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.

Accessibility for Individuals with Disabilities

Since one method for the submission of an official complaint with TRACS concerns the submission of the on-line form accessible via the TRACS website, it should be noted that the TRACS website (www.tracs.org) is designed to be compatible with common assistive technologies, including screen readers (e.g., JAWS, NVDA, VoiceOver), speech recognition software, and alternative input devices. The TRACS website may not display optimally in Internet Explorer or older browsers.

TRACS engages in interval audits, web page scans, and testing by professionals with disabilities to continually assess and improve the accessibility of the website. TRACS further invests in training on accessibility for our digital team to ensure our web content personnel, developers, designers, and other team members are knowledgeable and follow best practices for accessibility.

The *Web Content Accessibility Guidelines* (WCAG) defines requirements for designers and developers to improve accessibility for people with disabilities. It defines three levels of conformance: Level A, Level AA, and Level AAA. The TRACS website is fully conformant with WCAG 2.2 level AA. Fully conformant means that the content fully conforms to the

accessibility standard without any exceptions. In addition to WCAG 2.2, our website is compliant with the ADA and Section 508.