

AWH Center for Spiritual Care CPE Grievance/Complaint Process

Every effort is made to insure that each CPE student is treated in an ethical manner, and receives a quality CPE program at the AWH Center for Spiritual Care. If there is a breach in ethics, the CPE student has the right to file a complaint. There are different levels and types of complaints. It is important to note that a complaint against the CPE center, or a supervisor working in the center, is normally initiated on the **Local Level**. Details for filing this type of complaint are outline below. Complaints that address Violations in Educational Standards or Accreditation are initiated on the **National Level**. The process for these two types of complaints is described below in the following pages.

Purpose:

To provide a mechanism for the handling of complaints or appeals by CPE students that is in accordance with the Standards of the Association for clinical Pastoral Education, Inc. (See ACPE Standard 4). Students receive a written copy of this policy and procedure at the time of orientation.

Guideline:

The CPE program at the AWH Center for Spiritual Care encourages persons to work out concerns or grievances informally, face to face and in a spirit of collegiality and mutual respect. Procedures for complaints should be used only if informal discussion and pastoral communications do not resolve differences and when the complainant or group of complainants desires to register a complaint. It is recommended that the complaint be resolved at the closest possible relationship. ***Launching and responding to a complaint is intensive and demanding, not be undertaken casually. One should study the instructions closely and prepare carefully and thoughtfully for participation.*** When this policy as written in this handbook disagrees with the current *ACPE Standards* or the *Manual of Processing Complaints of Ethics Code Violations in ACPE*, the current *ACPE Standards* or the *Manual of Processing Complaints of Ethics Code Violations in ACPE* shall take precedence. These manuals are available here: [ACPE Manuals](#)

Definitions:

A *complaint* is a grievance, presented in writing and signed, involving an alleged violation of the ethical, professional, and/or educational criteria established by the ACPE Standards. Complaints may be registered by those who consider themselves harmed by an alleged violation or by any person(s) having substantive evidence of a violation of an ACPE Standard. The complaint must name an individual(s) or entity(s) over which ACPE has jurisdiction. A portion of the Standards is included in the Student Handbook that each student receives.

A *student* is defined as any person enrolled in any program of CPE for credit.

Mediation is a cooperative process that provides opportunity for both parties involved in a conflict to state their needs and interests. Through discussion with a mediator, the parties work to identify options and to find mutually acceptable solutions. If the parties agree to use mediation, they may contact the Executive Director of ACPE to discuss the possibilities for resolving the conflict in this manner.

Procedures:

1. The following principles will be adhered to in processing complaints:
 1. Grievances giving rise to a complaint should normally be resolved as close as possible to the context in which the difficulty arises and attempts should be made to resolve grievances in an informal collegial manner.
 2. If the complainant, ACPE member or ACPE center has questions about whether the local option is appropriate, they should consult with the Executive Director of ACPE or the Executive Director of APC before proceeding to address a complaint.
 3. A complaint shall be in writing and all those involved shall receive a copy of the complaint.
 4. Confidentiality shall be respected in registering, processing, and resolving a complaint.
 5. When a complaint is reviewed, all those involved shall be notified and be given an opportunity to present information.
 6. Those who mediate, review, or hear a complaint shall obtain all relevant information concerning the situation.
 7. The complaint will be processed within 35 days of its receipt with the Chair of the Professional Advisory Group.
 8. If the complaint cannot be resolved at the level of the PAG, the student shall have access to the necessary succeeding steps outlined in the ACPE Standards.
2. Any student(s) desiring consideration of his or her (their) concern or grievance may file a written complaint and submit it to the Chair of the Professional Advisory Group within six (6) months of the occasion of the cause of the complaint, or, if applicable within (6) months of the conclusion of the unit of training. In the instance of sexual exploitation, the complaint may be filed within ten (10) years of the event. Any complaint may be made within a longer period if the delay is explained by an occasion of fraud, intimidation, or other wrongful conduct that prevents the earlier surfacing of the complaint.
3. The Chair of the Professional Advisory Group acknowledges in writing the receipt of the complaint within seven (7) calendar days and outlines the procedures for responding to the complaint.
4. The complaint will be directed to a review committee comprised of three members of the Professional Advisory Group. ***The aggrieved may request that up to two additional persons be appointed. These professional persons may include individuals from the student's ecclesial,***

denominational, and/or theological school communities. A member of the PAG will chair this committee.

5. The review committee will thoroughly review the complaint within 21 calendar days of receiving the complaint. The committee will meet with the student and the person against whom the complaint is directed. The intent of this process is to allow time for dialogue and resolution, and a sense of reconciliation.

6. The review committee will make a recommendation and all parties involved will be notified in writing within seven (7) calendar days of the meeting. The recommendation will fall under one of the following:

- a. Valid. The complaint shall be addressed with an accompanying proposed resolution.
- b. Referral. The complaint is beyond the jurisdiction of the Chaplain Corp Center for Spiritual Care
- c. Without Merit. The complaint does not address any ethical violations.

7. If the complainant(s) is not satisfied with the recommendation of the review committee, he or she (they) may file for a continuation of the complaint within the procedures of the ACPE "Procedures for Complaints." This means the complaint must be registered with the Chair of the Ethics Commission of ACPE within 30 days following the recommendation of the review committee.

8. At this point, the procedures outlined in the ACPE Standards are followed. See <https://acpe.edu/programs/accreditation/information-on-filing-a-complaint>

9. As of February 1, 2023 the following are the names and addresses of those who might be involved in processing a formal complaint:

a. Chair Professional Advisory Group – Linda Wilkerson

b. Chair Ethics Commission

Karl Van Harn

300 68th St SE

Grand Rapids, MI 49501-0165

Phone(616) 281-6363 x2902

karl.vanharn@acpe.edu

c. Interim Executive Director

Rev. Robin Brown-Haithco ACPE, Inc.

ACPE: The Standard for Spiritual Care and Education

We Work, Floor 4

120 West Trinity Place

Decatur GA 30030

(404) 320-1472

d. Members of the Professional Advisory Group:

Linda Wilkerson

Jonathan Fisher

Brooks Heard

Doug Slater

Complaints Against Violations in Educational Standards

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 *Professional Ethics Manual (2020)*.

Education Program Complaint Review Process:

A. 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*. The complaint must identify the specific 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 *ACPE Code of Professional Ethics*
- 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*.

B. Inquiries and Filing of Complaints

- a. Complaints, or inquiries about filing them, are directed to the Chair of the Accreditation Commission [Chair] at: *ACPE, We Work, Floor 4 120 West Trinity Place Decatur GA 30030*. 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.
- 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 *Professional Ethics Manual (2020)* 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:

- i. The respondent-individual-program is a member/program accredited by the Commission;
- ii. The complaint alleges a violation which if it occurred would violate the Commission's education standards;
- iii. The alleged violation(s) occurred in a context and during a time the member's/program's conduct was subject to the Commission's standards, and
- iv. 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:

- i. Dismiss the complaint if no jurisdiction.
- ii. 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.
- iii. Offer a mediation opportunity if appropriate.
- iv. Refer the complaint for investigation and review.
- v. 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:
- A. 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 *Professional Ethics Manual (2020)*.
- 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 *Professional Ethics Manual (2020)*.
 - C. After reviewing the evidence and deliberating, the Committee shall reach one of two decisions:
 - a. No violation of Education Standards occurred.
 - b. 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, 2020 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, 2020 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 *Professional Ethics Manual (2020)*.
- D. Grounds for appeal are limited to (a) the party was refused reasonable opportunity to obtain and present evidence within the *Professional Ethics Manual (2020)*. (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.

The Accreditation Commission (Commission) is committed to fair and impartial administration of the Education Standards of the Association for Clinical Pastoral Education (ACPE). The Commission follows these Standards in its established accreditation practices, on-site reviews, and administrative functions.

Allegations that the Commission or its representatives have failed to follow its processes or misapplied the Standards will receive prompt, unbiased attention. No source making a good-faith complaint will be retaliated against, harassed, or jeopardized in accreditation decisions on the basis of having filed a complaint.

Complaint Review Process For Allegations of Commission Violations:

- I. General Information
 - A. A **complaint** is a **grievance** presented in writing and signed, involving an alleged violation by the Commission or its representatives. The complaint must identify the specific standard(s) or process alleged violated and state specifically how it was 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.
 - B. The complaint must name the Commission, its representative(s) or staff. The person filing the complaint consents to this complaint process and gives permission for the disclosure to the Commission, its representatives, and the respondent of all information necessary to process the complaint.
- 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, One West Court Square, Suite 325,*

Decatur, GA 30030. If the complaint is against the Chair, it should be sent to the same address in care of the Accreditation Staff (Staff). The complainant will be supplied a copy of the *Education Complaint Response Form*, and the *Professional Ethics Manual (2020)* or the web address for each within a week of receipt of the inquiry.

- B. When the Chair or Staff receives a complaint it is sent to the respondent named in the complaint who will also be sent a copy of the *Professional Ethics Manual (2020)* and *Education Complaint Response Form*. The respondent has thirty - (30) calendar days from the time of receiving the material to complete the response form and return it to the Chair or Staff.

III. Initial Review

- A. Within a reasonable time of receiving the complaint and the respondent's response, the Chair (or Staff) will determine whether or not the Commission has jurisdiction over the person/entity named and allegations. Jurisdiction requires:
 - i. The complaint alleges a violation which if it occurred would violate the education standards or Commission process;
 - ii. The alleged violations occurred in a context and during a time the person/entity was subject to the Commission's processes or Standards, and
 - iii. The alleged violation falls within three months of the date of *filing* the complaint with the Chair (Staff), or two Commission members if either of the preceding is named and ineligible to participate. 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 or Staff determines the direction the complaint will move. More than one option may be chosen:
 - i. 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 (Staff) may suggest approaches to resolution.
 - ii. Offer a mediation opportunity if appropriate.
 - iii. Refer the complaint for investigation and review.
 - iv. The Chair (Staff) may implicate additional violations of standards or process 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 (Staff) 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 or process alleged violated and the name, address and phone number of the investigator(s).

IV. The Investigative Phase

- A. When an investigation is warranted, the Chair (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 *Professional Ethics Manual (2020)* as adapted therein to the Commission.

B. The Case Review

- a. Three former members of the Commission who have been trained in reviewing complaints and have had no involvement in the investigation will be appointed by the Chair (Staff) as the designated case review body (Review). They receive the investigative report and take follow-up action as necessary recommending any enforcement action. The Accreditation Commission receives the Review's recommendations and takes final action. If the Accreditation Commission is itself the respondent, three former members of the Commission not involved in the case will receive the recommendations and take final action.
- b. The Review will follow the procedures set forth and adapted to the Commission in the *Professional Ethics Manual (2020)*.
- c. After reviewing the evidence and deliberating, the Review body shall reach one of two decisions:
 - i. No violation of Standards or process occurred.
 - ii. A violation of Standards or process did occur and the Commission will take follow-up action as necessary to rectify the violation and guard against future violations.
- d. When Review finds a violation did occur, it may recommend enforcement actions to the Commission which will follow-up, enact as appropriate. These may include further training of personnel and/or modification of practices to comply with the Commission's established accreditation procedures. The Commission will perform the notification and record-keeping functions designated in the *ACPE Accreditation Manual, 2020 edition*.
- e. The complainant, respondent and any other parties will be notified in writing of the decision and outcome.
- f. The decision is final and binding on the Commission and the Association for Clinical Pastoral Education, Inc.