
WESTERN INSTITUTE FOR SOCIAL RESEARCH

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COMPLAINT AND GRIEVANCE PROCEDURE

Overview

Part A — Complaint and Grievance Procedure

I. Purpose and Principles

The Western Institute for Social Research (WISR) is committed to maintaining a learning and working environment grounded in social justice, equity, mutual respect, and academic integrity. WISR provides fair, timely, and transparent procedures for resolving complaints and grievances brought by students and other members of the WISR community.

This policy is designed to ensure:

access to a clear and equitable grievance process;

freedom from retaliation for raising concerns in good faith;

timely resolution using defined procedures and timelines; and

compliance with applicable state and federal law and with the accreditation standards of the Distance Education Accrediting Commission (DEAC), WISR's institutional accreditor, and the requirements of the California Bureau for Private Postsecondary Education (BPPE).

Consistent with DEAC accreditation standards, WISR's complaint and grievance procedures embody the principles of fairness, responsiveness, respect, due process, and proportionality.

II. Scope and Relationship to Other Policies

This Part A applies to academic and non-academic complaints and grievances. Complaints alleging sexual harassment, sexual misconduct, sexual assault, dating violence, domestic violence, stalking, or sex-based discrimination are governed by Part B (Sexual Misconduct and Sexual Harassment Policy) and are not processed under Part A. Complaints alleging other forms of unlawful discrimination, harassment, or retaliation based on a legally protected characteristic are processed under Part A but are reviewed in consultation with the appropriate officer identified in Part B, Section IV.

III. Definitions

Complaint: An expression of dissatisfaction or concern regarding an action or inaction by a member of the WISR community.

Grievance: A formal, written allegation of unfair, arbitrary, capricious, discriminatory, or otherwise improper treatment.

Complainant: The individual submitting a complaint or grievance.

Respondent: The individual whose conduct or decision is the subject of the complaint.

Business Day: Monday through Friday, excluding state and federal holidays.

Retaliation: Action against any individual for filing a complaint in good faith, participating in a grievance process, or opposing conduct reasonably believed to be unlawful or in violation of WISR policy.

IV. Protection Against Retaliation

No student, employee, or other community member shall be subjected to retaliation, intimidation, coercion, or adverse action for filing a complaint in good faith, participating in

a grievance or investigative process, or declining to participate. Allegations of retaliation may be filed and will be investigated as separate violations of institutional policy, regardless of the outcome of the underlying complaint. A good-faith complaint that is not substantiated does not constitute a policy violation; however, a complaint shown to have been knowingly false or made in bad faith may be subject to disciplinary review.

V. Student Academic and Non-Academic Grievance Procedure

Step 1 — Informal Resolution (Optional)

Students are encouraged, but not required, to attempt informal resolution by communicating directly with the individual involved, verbally or in writing. WISR strongly encourages students to consider informal resolution as a first step when it is safe and appropriate to do so. Experience demonstrates that many concerns can be resolved promptly through respectful communication, resulting in timely solutions, reduced stress for all parties, and the preservation of constructive academic and professional relationships. Participation in informal resolution remains entirely voluntary and does not limit a student's access to the formal grievance process. A student may bypass informal resolution at any time, and is not required to attempt it, when:

the complaint involves harassment, discrimination, retaliation, or abuse of power;

a significant power imbalance exists; or

the student reasonably fears harm, coercion, or retaliation.

If informal resolution is pursued, the respondent should acknowledge the concern and respond within seven (7) business days. Informal resolution is never required for complaints governed by Part B.

Step 2 — Formal Written Complaint

If informal resolution is unsuccessful or inappropriate, the student may submit a written complaint to the appropriate administrator:

Program-related complaints: Program Director*

Complaints involving a Program Director: Academic Dean

Student-to-student concerns or mediation requests: Coordinator of Student Services

The written complaint should include a description of the concern, relevant dates and individuals involved, a summary of any prior resolution attempts, and the desired resolution. The administrator will acknowledge receipt in writing within five (5) business days and will attempt resolution within fifteen (15) business days. Resolution efforts may include mediation, review of records, or consultation with relevant parties. If additional time is required, the administrator will notify the complainant in writing of the reason and the anticipated revised timeline.*The program for which the student is enrolled that is either the Director of the EdD in Higher Education and Social Change, the Director of the MS in Education and Community Leadership, or a Co-Director of the MS in Psychology, MFT. Before proceeding to a formal complaint, a student may also request that the Coordinator of Student Services first attempt to mediate a resolution.

Step 3 — Appeal to the President

If the complaint remains unresolved, the student may submit a written appeal to the President of the Institute within ten (10) business days of receiving the Step 2 decision.

The President (or a designee who has had no prior involvement in the matter) will conduct an independent review.

In academic-evaluation disputes, a qualified faculty member not previously involved may be asked to reassess the work.

The President will issue a written decision within ten (10) business days that includes the findings, the rationale, and any remedies or actions taken.

If the President is the subject of the complaint, the Academic Dean will assume the President's role at this step.

Step 4 – Final Appeal to the Board of Trustees

If the grievance remains unresolved, the student may submit a written appeal to the Chair of the Board of Trustees within ten (10) business days of receiving the Step 3 decision.

The Board (or a designated committee) will conduct a procedural and substantive review.

Board members with a conflict of interest will recuse themselves.

The Board's written decision constitutes the Institute's final internal determination and will be issued within a reasonable time, ordinarily not to exceed thirty (30) business days.

VI. Non-Student Complaint and Grievance Procedure

Non-student members of the WISR community (faculty, staff, and Board members) may use the same four-step process, with the following distinctions:

Step 2 complaints are submitted to the Academic Dean or the Administrative Dean, as appropriate.

Complaints involving either Dean are submitted directly to the President.

Complaints involving the President are submitted to the Chair of the Board of Trustees.

Employment-related complaints alleging discrimination, harassment, or retaliation based on a protected characteristic are additionally subject to the protections and reporting options described in Part B and under the California Fair Employment and Housing Act (FEHA).

VII. Confidentiality

WISR will make reasonable efforts to maintain confidentiality consistent with the need to conduct a fair and thorough review and with applicable law, including the Family Educational Rights and Privacy Act (FERPA). Information will be shared only with individuals who have a legitimate need to know. WISR cannot guarantee complete confidentiality where disclosure is required to investigate the matter, to comply with law, or to protect the safety of the community.

VIII. Documentation, Records, and Complaint Log

All formal complaints, grievances, and their dispositions are documented and retained in accordance with WISR's record-retention schedule and applicable law. WISR maintains a central complaint log that records, at a minimum, the date received, the nature of the complaint, the steps taken, the disposition, and the date of resolution. The log and supporting records are reviewed periodically as part of WISR's continuous quality improvement process and are made available to DEAC and BPPE upon request. Complaint records are retained for not less than five (5) years from the date of final disposition, or longer where required by law or accreditation standards.

IX. External Complaint Options

WISR encourages individuals to use the internal procedures above. The availability of internal procedures does not preclude an individual from contacting an external agency at any time.

Bureau for Private Postsecondary Education (BPPE) – for students residing in California

Bureau for Private Postsecondary Education (BPPE): 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833. Toll-free (888) 370-7589; direct (916) 431-6924; FAX (916) 263-1897; website: <http://www.bppe.ca.gov>. Complaint form: <https://www.bppe.ca.gov/enforcement/complaint.shtml>.

Students residing outside California

California is not a member of the State Authorization Reciprocity Agreement (SARA). Students residing outside California may file a complaint with the consumer-protection or higher-education agency of their state of residence. WISR will provide, upon request, current contact information for the relevant state agency. Such students may also pursue the DEAC complaint process described above.

Distance Education Accrediting Commission (DEAC)

DEAC Online Complaint System: DEAC provides an Online Complaint System that enables individuals to file a complaint directly through the DEAC website. Written complaints submitted to DEAC must generally include the complainant's contact information, a description of the alleged non-compliance, relevant dates and parties involved, supporting documentation, and a release permitting DEAC to forward the complaint to the institution for response. Distance Education Accrediting Commission (DEAC), 1101 17th Street NW, Suite 808, Washington, DC 20036; (202) 234-5100; www.deac.org. Online complaint system and details: <https://www.deac.org/student-center/complaint-process/>

Part B — Sexual Misconduct and Sexual Harassment Policy

I. Policy Statement

WISR prohibits sexual harassment, sexual misconduct, sexual assault, dating violence, domestic violence, stalking, and sex-based discrimination. Such conduct violates WISR's institutional values and applicable law, including the California Fair Employment and Housing Act (FEHA) and, with respect to employees, Title VII of the Civil Rights Act of 1964. WISR responds promptly, equitably, and impartially to reports of conduct prohibited by this policy.

Applicability note: Title IX of the Education Amendments of 1972 applies only to education programs or activities that receive federal financial assistance. WISR does not receive federal financial assistance and is therefore not a Title IX "recipient" bound by the Title IX regulations (34 C.F.R. Part 106). Nonetheless, WISR voluntarily adopts the fair-process protections described below — which mirror recognized due-process standards — because they reflect WISR's values and satisfy the fairness, due-process, and proportionality expectations of its institutional accreditor, the Distance Education Accrediting Commission (DEAC). If WISR's funding status changes such that it becomes a Title IX recipient, WISR will revise this policy to conform to the governing federal regulations.

II. Designated Officer for Sexual Misconduct Matters

WISR designates a responsible officer to coordinate the institution's response to reports under this policy, including the receipt of reports, the offer and coordination of supportive measures, and oversight of any investigation. Any person may report sexual misconduct or sexual harassment to this officer in person, by mail, by telephone, or by email, at any time, including outside business hours.

Designated Officer: Dr. Steven Pomerantz, Student Services Coordinator | Email: steven.pomerantz@wiser.edu | Phone: 916-774-6112

III. Definitions

Sexual harassment: Unwelcome conduct of a sexual nature that (a) is made, explicitly or implicitly, a term or condition of an academic or employment decision (quid pro quo); (b)

unreasonably interferes with an individual's educational or work participation; or (c) creates an intimidating, hostile, or offensive environment. Consistent with California's FEHA standard, a single serious incident may be sufficient to constitute prohibited harassment; the conduct need not be both severe and pervasive.

Sexual misconduct: Includes, but is not limited to, sexual assault, sexual coercion, sexual exploitation, and non-consensual sexual contact.

Consent: Affirmative, conscious, and voluntary agreement to engage in sexual activity. Consent must be ongoing and may be revoked at any time. Consent cannot be given by a person who is incapacitated, asleep, unconscious, or otherwise unable to understand the nature of the activity. Silence or lack of resistance does not constitute consent. (WISR adopts this affirmative-consent standard as a matter of institutional policy; it reflects the standard set out in California Education Code § 67386, which by its terms applies to institutions receiving state student financial aid.)

Dating violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant.

Domestic violence: Violence committed by a current or former spouse, intimate partner, cohabitant, or similarly situated person under applicable law.

Stalking: A course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress.

IV. Reporting Options

An individual may report conduct prohibited by this policy to any of the following, without first pursuing informal resolution and without using Part A:

the Designated Officer for sexual misconduct matters (Section II);

the President of the Institute;

the Academic Dean;

the Coordinator of Student Services; or

the Chair of the Board of Trustees.

Reports may be made verbally or in writing. There is no time limit for making an internal report, although WISR's ability to respond may be affected by the passage of time. Individuals are also encouraged to preserve any relevant evidence. In an emergency, dial 911.

Current contacts for reports under this policy are the President, John Bilorusky (johnb@wizr.edu; 510-655-2830); the Student Services Coordinator, Steven Pomerantz (steven.pomerantz@wizr.edu; 916-774-6112); and Karen Wall, EdD, RN-BC, LMFT (karen.wall@wizr.edu; 909-583-1545). Reports may also be made to the Chair of the Board of Trustees.

V. Supportive and Interim Measures

Upon receiving a report, WISR will promptly offer supportive measures to the complainant and, as appropriate, to the respondent. Supportive measures are non-disciplinary, non-punitive, and individualized, and may include:

academic accommodations or extensions;

mutual no-contact directives;

adjustments to supervision, mentoring, or instruction; and

referrals to counseling or other support resources.

Supportive measures do not constitute a determination of responsibility and are available regardless of whether the complainant chooses to file a formal complaint.

VI. Investigation and Resolution

WISR responds to formal complaints promptly, equitably, and impartially. The process provides the following protections:

- a presumption that the respondent is not responsible until a determination is made at the conclusion of the process;

- written notice to the parties of the allegations and of the process to be followed;

- an equal opportunity for both parties to present witnesses and evidence and to respond to the evidence;

- an objective evaluation of all relevant evidence, by trained individuals who do not have a conflict of interest or bias;

- application of the preponderance-of-the-evidence standard (whether it is more likely than not that a violation occurred); and

- a written determination, issued to both parties, that explains the findings, the rationale, and any sanctions or remedies.

Sanctions for students may include warning, probation, suspension, or dismissal. Sanctions for employees may include warning, mandatory training, suspension, or termination. WISR will also take steps reasonably designed to restore or preserve the complainant's equal access to WISR's education program or activity and to prevent recurrence.

Either party may appeal a determination or a dismissal on the following bases: procedural irregularity that affected the outcome, newly available evidence that could affect the outcome, or a conflict of interest or bias that affected the outcome. Appeals are decided by a person who was not involved in the investigation or determination.

VII. Confidentiality and Mandatory Reporting

WISR will maintain confidentiality to the extent possible consistent with conducting a fair and thorough process and with applicable law, including FERPA. WISR will keep confidential the identity of complainants, respondents, and witnesses except as permitted or required by law or as necessary to carry out the process. Certain WISR administrators are designated officials with the authority to institute corrective measures and are therefore obligated to respond when they receive notice of conduct that may violate this policy. WISR also complies with applicable mandatory-reporting obligations under California law, including, where applicable, the reporting of suspected child abuse and reports involving minors.

VIII. Prohibition Against Retaliation

Retaliation against any person for reporting conduct prohibited by this policy, for participating or declining to participate in any process under this policy, or for opposing conduct reasonably believed to violate this policy is strictly prohibited and constitutes a separate violation subject to disciplinary action up to and including dismissal or termination.

IX. External Reporting

An individual may pursue external remedies at any time, in addition to or instead of WISR's internal process:

- Local law enforcement (for conduct that may be criminal). WISR will, on request, assist a complainant in contacting law enforcement.

California Civil Rights Department (CRD) — formerly the Department of Fair Employment and Housing (DFEH); the CRD enforces FEHA. A complaint with the CRD must generally be filed within three (3) years of the alleged conduct: <https://calcivilrights.ca.gov>

U.S. Equal Employment Opportunity Commission (EEOC) — for employment-related claims under federal law: <https://www.eeoc.gov>

Bureau for Private Postsecondary Education (BPPE) — for student complaints, as described in Part A, Section IX.

Because WISR does not receive federal financial assistance, the U.S. Department of Education Office for Civil Rights generally does not have Title IX jurisdiction over WISR. The deadlines above are summarized for convenience and may change; individuals should confirm current deadlines directly with the relevant agency.

This policy is reviewed at least annually by the Office of the President in consultation with the VP for Continuous Quality Improvement and is updated as required by changes in applicable law or DEAC accreditation standards.