

For Complaints Lodged Against the DFTA Regarding the Evaluation Program

1. The DFTA shall disclose to all programs that have been evaluated that they have the right to file a complaint with the DFTA. The complaint / dispute process may also be open to individuals and members of the public as appropriate.
2. The DFTA shall prominently display on its evaluation website an email address or on-line submission form, as well as phone number, for submitting complaints.
3. Confidentiality: All staff, Committee members, and board members involved in this process will be required to put in writing their commitment to honor confidentiality throughout this process and in perpetuity.
4. All individuals involved in this process will adhere strictly to all relevant DFTA policies and procedures.
5. Urgency: Timeframes for dealing with what are considered serious complaints may be reduced so as to resolve an issue within the shortest possible time.
6. Complete records of every complaint, investigation, and resolution shall be kept by the ED or other designated staff.

Submission of Complaints and Initial Review:

1. For complaints first submitted by phone, the DFTA may require complaints to be filed in writing, barring unusual circumstances that prevent that (such as illiteracy or low levels of literacy, language barriers, or cultural reasons).
2. Complaints will first be reviewed by the Executive Director or designated staff such as an Evaluation Coordinator. Acknowledgement of receipt of the complaint will be sent to the complainant within three business days.
3. Initial Review: The ED or other designated staff will conduct the initial review of the complaint within five business days. In the event of a Conflict of Interest, the Chair or other designated member of the board shall conduct the initial review. The purpose of the initial review is to determine the validity of the complaint and will result in a recommendation to (a) proceed with further investigation, or (b) dismiss the complaint. A legitimate complaint would include either (a) a potential misrepresentation of the program in question, or (b) a complaint regarding the integrity of the evaluation process itself. For instance a mere difference of opinion or disagreement with DFTA principles or criteria does not constitute a complaint per se (such comments and suggestions should be submitted to the board and / or appropriate committee to consider for future revisions of the program).

Dispute Resolution Committee:

1. Upon receiving a complaint that is deemed legitimate, The DFTA shall establish a Dispute Resolution Committee. This committee will consist of at least three members and include at least one board member. In general members of the Committee shall be members in good standing, although non-members can be invited to serve on the Committee based on specific expertise, such as but not limited to legal expertise, or experience in mediation, conflict resolution, or appeals processes. The Committee will decide matters by consensus whenever possible, and in the event of lack of consensus may consult with additional board members or the board as a whole. The Committee shall inform the board in an ongoing manner of any complaints being considered and the status of the complaint.
2. Committee members shall strictly abide by Conflict of Interest policies as established by the DFTA and outlined elsewhere, and shall recuse themselves from any review of a program with which they have a substantive conflict of interest.
3. The committee as a whole shall examine any initial reviews conducted and determine their agreement or lack of agreement with the results. This should take place within ten business days.
 - a. If the initial review called for an investigation, whereas the Committee decides none is necessary, this result will be sent to the full board for review and final decision.
 - b. If the Committee decides that an investigation is warranted, that investigation will take place (see below).
 - c. If the initial review and the Committee are in agreement to dismiss a complaint, the complainant shall be notified within five business days of the decision, the reasoning behind it, and his/her right to appeal the decision within three weeks.
4. Investigation:
 - a. The Committee will designate an investigator (who can be a member of the Committee or of the Criteria committee, but will not be the initial Evaluator of the program) to follow up with the complainant to gather more information, including documentation of evidence, as needed. The investigator will also consult with the Evaluator and reviewers of the program to understand the reasoning behind the decisions made during the evaluation in question.
 - b. Within three weeks, barring extenuating circumstances, the investigator will issue a recommendation to the Dispute Resolution committee in writing. This recommendation may include:
 - i. No changes to the evaluation

- ii. Specific recommended changes to the evaluation
 - iii. Request for the Evaluator and reviewers to reconsider the issue(s) at hand
 - iv. Recommendation for a complete Evaluation to be conducted anew with a different Evaluator and/or team of reviewers.
- c. At this stage either the investigator or the Committee may also determine that more time is needed for the investigation. Additional time should be kept to a minimum, and every 30 days the investigator or committee must provide a written update and request a continuance if needed.

Final Determination and Appeals:

1. Once the Committee has decided on the recommendation, it will be sent to the board for review and final decision, which shall be done within three weeks of the receipt of the recommendation. The board may determine the need to consult legal counsel before a final decision is made. At this time the ED will inform the party to the dispute of the determination, and their right to appeal the decision within three weeks.
2. Appeals: If the person or entity who has submitted a complaint or the subject of a complaint submitted to the DFTA is not satisfied with the outcome of the process (the findings and determination), they have the right to appeal the decision. This appeal must be made in writing within three weeks and must include reasons for requesting the appeal. The appeal will be heard by a meeting of the full board of the DFTA.