



## Student Complaint Options April 2020

Questions	Where to Complain	Comments	Authority
Student has a complaint?	<b>Institution:</b> Student should start with the institution's process.	The institution should provide clear procedures.	
Complaint not resolved to the student's satisfaction or institution is stalling?	<b>State Oversight Agency:</b> If institution is in the same state that the student receives the instruction.	The institution should provide you with the state agency's contact information.	For institutions that offer Title IV Federal Financial Aid, the institution is required per <b>34 CFR 668.43(b)</b> to provide the contact information for filing complaints with its State approval or licensing entity and any other relevant State official or agency that would appropriately handle a student's complaint.
	<b>State Oversight Agency:</b> If institution is located in another state from where the student received the instruction.	If SARA <sup>1</sup> institution, with activity subject to SARA policy (ex. distance ed or experiential learning) in a SARA state, complain to the "SARA portal agency" in the institution's state.	<b>Section 4</b> of the SARA Manual.
		If the activity is outside of reciprocity (ex. face to face course) or the institution does not participate in reciprocity, the student should complain to oversight agency* in the student's state.	*The oversight agency in the student's state may not have authority to enforce state laws over the out-of-state institution. However, the agency will assist the student to find the appropriate agency.

<sup>1</sup> SARA is the State Authorization Reciprocity Agreement: <http://nc-sara.org/>

The content of this complaint option chart should not be considered to be or used as legal advice. Legal questions should be directed to legal counsel.



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---- Academic Issues ----			
Questions	Where to Complain	Comments	Authority
Does the complaint have an academic component?	<b>Institutional Accrediting:</b> The student should complain to the institution's accrediting agency.	The institution should provide the student with the accrediting agency contact information.	For institutions that offer Title IV Federal Financial Aid, the institution is required per <b>34 CFR 668.43(b)</b> , to provide its students or prospective students with contact information for filing complaints with its accreditors.
	<b>Program Accrediting:</b> If the student's program also has program accreditation.	The institution should provide the student with the programmatic accrediting agency contact information.	For institutions that offer Title IV Federal Financial Aid, the institution is required per <b>34 CFR 668.43(b)</b> , to provide its students or prospective students with contact information for filing complaints with its accreditors.
---- Additional Complaint Paths, If You Have This Form of Financial Aid ----			
Is the student active duty military receiving Tuition Assistance or spousal assistance?	Department of Defense Postsecondary Education Complaint System	When the student finds that their school failed to follow the Principles of Excellence, <sup>2</sup> they may report misleading or unfair actions by the institution.	Presidential Action: Executive Order established the Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members
Is the student a veteran using Montgomery or the Post 9/11 GI Bill?	Department of Veterans Affairs	Student may submit their complaint to the VA that will review the complaint and seek response to the student's complaint by the institution.	

<sup>2</sup> The White House. *Executive Order -- Establishing Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members (2012)*. Retrieved from: <https://obamawhitehouse.archives.gov/the-press-office/2012/04/27/executive-order-establishing-principles-excellence-educational-instituti>.

Does the student have a private student loan?	Consumer Financial Protection Bureau	CFPB will help the student connect with the financial companies to address the errors and seek prompt responses from the financial entities about problems.	
Is the student currently receiving federal financial aid?	Department of Education Ombudsman	If after prescribed student self-analysis <sup>3</sup> , the student may contact the FSA Ombudsman to seek final resolution about the student's aid. The Ombudsman Groups serves the student by providing assistance for research and support to the student to seek solutions.	
<b>---- Additional Possibilities----</b>			
Is the student still not satisfied?	Attorney general	Some students have found help with these, but there may be additional costs and time factors. The above choices are the official routes.	
	Private Lawsuits		

<sup>3</sup> Federal Student Aid. An Office of the Department of Education. *Self-Resolution Checklist*. Retrieved from: <https://studentaid.ed.gov/sa/repay-loans/disputes> .

## Links to Complaint Process Federal Regulations & SARA Requirements

**34 CFR 600.9 (a)&(b). State Authorization** – Summary: An institution as described in 600.4 is authorized by a State if there is a State process to review and appropriately act on complaints concerning the institution including enforcing applicable State laws: [https://www.ecfr.gov/cgi-bin/text-idx?SID=3f3801be3afcdf6c285c77781e781600&node=pt34.3.600&rgn=div5#se34.3.600\\_19](https://www.ecfr.gov/cgi-bin/text-idx?SID=3f3801be3afcdf6c285c77781e781600&node=pt34.3.600&rgn=div5#se34.3.600_19)

**34 CFR 668.43(b). Institutional Information** – Summary: The institution must provide certain information to any enrolled or prospective students regardless of modality. Among the information to be provided is the contact information for filing complaints with the institution’s accreditor and with its State approval or licensing entity and any other relevant State official or agency that would appropriately handle a student's complaint: <https://www.ecfr.gov/cgi-bin/text-idx?type=simple;c=ecfr;cc=ecfr;sid=f415ba12edb2f62d553f2738cfb4d597;region=DIV1;q1=668.43;rgn=div8;view=text;idno=34;node=34%3A3.1.3.1.34.4.39.3>

**SARA Manual Section 4. Consumer Protection** – Summary: The Home State of the institution is responsible for investigating and resolving allegations of dishonest or fraudulent activity by the state’s SARA participating institutions. Use this link to find the most up to date version of the NC-SARA Manual: <https://nc-sara.org/resources/guides>

## Links to Financial Aid Complaint Paths

- Department of Defense Postsecondary Education Complaint System: [http://www.militaryonesource.mil/f?p=MOS3:TOPIC:0::::EKMT\\_ID:333.25.50.30.20.0.0.0.0content\\_id%3D274604](http://www.militaryonesource.mil/f?p=MOS3:TOPIC:0::::EKMT_ID:333.25.50.30.20.0.0.0.0content_id%3D274604)
- Veterans Administration: <http://www.benefits.va.gov/gibill/feedback.asp>
- Consumer Financial Protection Bureau: <http://www.consumerfinance.gov/complaint/>
- Department of Education: <https://feedback.studentaid.ed.gov/>

## Links Higher Education Agencies and SARA State Portal Entities

- State Higher Education Agency List: <https://nc-sara.org/guide/agency-list>
- State Portal Entity Contacts: <https://nc-sara.org/state-portal-entity-contacts>

### SARA Student Complaint Process

