



Helping Prospective SARA Institutions Tighten Up their Complaint Process

M-SARA Webinar: October 15, 2015

Question	Answer	Respondent
Does the state of the institution need to be part of the SARA group before the institution can join?	The state has to be a SARA member for an institution to use SARA	Alan
Can the institutional appeals process be part of the complaint process?	Yes; depending on the nature of the complaint.	Sara Appel
Who determines "Best Practice?"	There is no one place any of us have been able to find a list of complaint process "best practices." It's one of the reasons we put together this webinar. We will continue to look for one or work to create one at some future point in time. The practices we offer in this webinar are gleaned from the work done by all of us in this field in our individual careers.	Jenny
How should institutions contextualize having a statute of limitation on complaints in the face of increased focus on consumer protection?	The purpose and effect of statutes of limitations is to protect defendants; as time goes by a defendant may lose valuable evidence to disprove an allegation.	Sara Appel, Marianne
Should complaint process be limited to students and not their parents?	No since many parents are consumers of their dependent's education. Just be sure to include in the complaint process a description that that all federal and state laws regarding students' privacy must be followed and if the student wants their parent(s) to file a complaint on their behalf and personal information such as grades are needed to investigate the complaint, the student must sign a release/waiver giving them permission to do so.	Sara Appel
Are there any areas that typically trip up public institutions?	No, most institutions have a general counsel review their policies and processes including the complaint process to ensure that it meets standards.	Sara Appel, Marianne



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Can the link for Columbia College also be shared?	https://web.ccis.edu/Offices/InstitutionalCompliance/approvals-by-st.aspx	Emily
Is there a process for students from state A taking a course in state B complaining up the path to state B and then the complaint move to or inform the student's home state A ? the	Under SARA there is a formal role for the institution's home state and a less formal role for the state where the student is located. For other entities, the process may differ. SARA member states are expected to communicate with each other about complaints.	Alan
Does the complaint process requirement only apply when students are enrolled in distance programs, or does this apply to all students?	There are different rules for distance ed in certain circumstances, but all students have to have this available. Some requirements are based in federal law, not in SARA.	Alan
If the institution's state is not part of SARA, how does the institution comply with the complaint process?	There is no need to comply with the SARA complaint process if your institution is not a participating SARA institution in a SARA member state. An institution has to comply with the complaint process requirements from their state, the federal government, and, of course, their accreditors.	Jenny
What about for online institutions? Do we need to include links to the student complaint forms for every state?	On-line institutions are like any other when it comes to the federal regulations regarding complaint process requirements. Yes, institutions must include information about the state level complaint process in every state where they serve institutions or have prospective students.	Jenny
Some of the contact information on the SHEEO resource is out of date, Is it still acceptable to post the SHEEO list on our websites in order to be in compliance?	The SHEEO resource is out of date -- it should be updated soon but until it is, I would hesitate to link to it. However, you could certainly use it as the basis for your own list (as many of the links are still valid).	Marianne



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I thought some accreditors said institutions could NOT directly link to the SHEEO web site? Also - is that consistent across regional compacts?	the USDOE was at first against using the SHEEO List - but changed their mind in the Dear Colleague letter dated July 2012 (http://www.ifap.ed.gov/dpcletters/attachments/GEN1213Attach.pdf). I have not heard that regional compacts or accreditors would have any concern. Remember this requirement was federally mandated (not state or by accreditors)	Marianne
What states are considered to be in non-compliance, according to the Dept?	The department has not started to enforce this regulation yet (deadline is July 1, 2015). So we don't really know which states are in compliance and which are not. However, most states do have a complain process set-up or are reviewing their process and/or making changes.	Marianne
Nothing from Illinois yet?	M-SARA staff anticipates receiving state application in Fall 2014. Legal Authority: Senate Bill 3441. The Illinois Board of Higher Education (IBHE) is the designated SARA portal agency.	Emily/Jenny
Does the student go to the institution's state or to their own state?	A student can complain to either state, but the formal responsibility under SARA to resolve such complaints belongs to the institution's home state.	Alan
Will tuition discounting be an issue to be reviewed?	Tuition discounting is a rather general term. Some such discounting is perfectly legal and a standard practice at some nonprofits that have a high nominal tuition. It may be that I don't understand the question.	Alan



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What would be an example of how a student could complain about the recruiting/marketing practices?	Examples would be if the student receives excessive telephone calls or email, high pressure from recruiters to enroll, threats, purposely providing the student false information regarding the institution's job placement and student debt, etc.	Sara Appel
Which state has precedence when non-SARA state is/are involved?	If you mean which state is responsible to handle student complaints, it depends on which state laws are alleged to have been violated. In some cases it can be both.	Alan
When exactly was the decision made that a complaint could be elevated to the Regional Steering Committee? Who made that decision? Why weren't state SPAs informed of this?	There may be some confusion about whether the SARA regional steering committees handle complaint appeals. They do not. They review whether states are handling complaints adequately.	Alan?
Does Marianne have any examples of schools that have done a good job of posting the complaint info?	Please see the Embry Riddle and the Columbia College sites. They are both very good.	Marianne, Sara, Jenny
Good to see some of the more problematic states are opting in. Any word yet from NY, MN and DC?	State actions can be viewed at http://nc-sara.org/content/sara-state-status	Alan
Student do not file complaints with SARA even if both states are SARA institutions?	I think you are asking about the SARA complaint process. Please see the slides in the webinar and then contact one of us if you require additional information.	Jenny