Who handles complaints with students moving to fully online?
3/25/20

Issue
Students must attempt to resolve any conflict with their institution by first following the institution’s designated complaint process. If there is need for further recourse to address unresolved complaints, the state agency for which the student should seek assistance will vary. Institutions should provide a clear complaint process that includes institutional review and direction to the appropriate state agency for recourse outside the institution.

Impacted
Students must understand the process for which they may address complaints with their institution. Institution administration, website managers, general counsel or others who develop institutional policy to manage complaints and communicate the process to students, must provide direction.

Effective Dates
Complaint process requirements are ongoing and not altered due to COVID-19 course modality changes.

Background
Institutions should provide students with a clear explanation of the institution’s student complaint process. Per Federal regulations, the state where the institution is authorized must have a state process to review and act on complaints to enforce state laws against the institution. Institutions are required to disclose to enrolled and prospective students, regardless of modality of the instruction, the contact information for filing complaints with the institution’s accreditor, state approval or licensing entity, or any other relevant state official or agency that would appropriately handle a student’s complaint.

Students who remain in state where the institution is located may seek recourse from the designated state agency located in the state. Students who are located in another state will seek recourse by contacting the SARA State Portal Entity (SPE) in the state where the institution is located if the institution and state participate in reciprocity through SARA. If the institution does not participate in SARA or the activity occurs in a state that is not a member of SARA, the appropriate agency varies widely.

Recommended Action(s)
- Communicate institution complaint process: Institutions must provide an institutional process to address student complaints.
- Communicate required entities to receive complaints: Institutions must direct students to the appropriate state agencies to receive and act on complaints beyond the institution.
Applicable regulations

- 34 CFR 600.9(a)-(b)
- 34 CFR 668.43(b)

Resources

- NC-SARA Manual – Section 4 – Consumer Protection
- SARA State Portal Entity Contacts
- SAN Webpage for Student Complaints

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