

## Washington Student Complaint Process

6/4/2014

### Purpose

The Washington Student Achievement Council (WSAC) complaint process described below is provided for consumer protection and the resolution of complaints for students attending a Washington-based institution or an institution authorized to operate in Washington. The Washington student complaint process is intended to provide a means for students to mediate complaints with participating postsecondary institutions after all institutional appeals have been exhausted.

There are three primary complaint processes in Washington:

1. **Formal/Authorized Schools:** Students enrolled in authorized schools in Washington. This process is outlined in the Degree Authorization rules (Washington Administrative Code 250-61) and is not addressed here.
2. **Formal/Exempt from Authorization:** Students enrolled in institutions exempt from authorization and covered by State Authorization Reciprocity Agreements (SARA) and/or U.S. Department of Education third-party external complaint requirements. **This process is addressed by this document.**
3. **Informal:** Students enrolled in a Washington institution exempt from authorization. This process addresses complaints that fall outside the complaint authority or are made against an institution not covered by the formal complaint process. This process is not addressed in this document.

### Formal/Exempt from Authorization

Institutions that are exempt from Authorization may enter into a formal agreement with WSAC to act as an independent third party to resolve student complaints.

There are two categories of participation:

1. All Washington-based institutions participating in the SARA are required to make the Washington student complaint process available to students who are enrolled in distance education courses and who reside in another SARA participating state.
2. Institutions may also wish to extend the complaint process to all of their students in order to meet U.S. Department of Education requirements for a state “process to review and appropriately act on complaints concerning the institution...” (Code of Federal Regulations 600.9 – State Authorization).<sup>1</sup>

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<sup>1</sup> Also known as Title IV requirements

## **The Complaint Process**

There are two levels of student complaints – formal and informal:

- Formal complaints are made by students against an institution that are within the scope of the complaint authority ( ).
- Informal complaints are complaints that fall outside the complaint authority or are made against an institution not covered by the complaint process. Informal complaints are first referred back to the institution for resolution. Typically WSAC staff will attempt to connect the complainant to the appropriate campus resources to address their issue.

## **Process**

1. The Washington Student Achievement Council (WSAC) receives an initial complaint from the student.
2. The complaint must be made within two years of the incident about which the complaint is made.
3. The WSAC provides the student with a complaint form. One of the questions on the form asks if the student has completed the institutional complaint process.
4. If the student indicates the institutional complaint process has not been exhausted, the complainant is referred back to the institution.
5. If the student indicates the institutional complaint process has been completed and provides documentation to that effect, the WSAC accepts the complaint. The WSAC contacts the institution regarding the student complaint and requests appropriate information and documentation relating to the specific area(s) of the complaint.
6. The institution will submit the requested information/documentation and a recommended resolution to the complaint.
7. If a recommended resolution is acceptable to the complainant, the process is complete.
8. If there is no recommended resolution or a student is not satisfied with a recommended resolution, WSAC staff reviews the complaint to determine if the complaint falls within the scope of the consumer protection issues that apply to the institution.
9. If a complaint is found by WSAC staff to be justified, the WSAC negotiates with the institution to find an appropriate resolution.

10. WSAC staff then issue a final decision regarding the complaint and may require an institution repay tuition and fees to the student.
11. An institution may request the WSAC hold an administrative hearing if the decision results in a possible adverse effect.

A complainant is not bound by the WSAC determination of restitution and may pursue any other legal remedy.

### **Types of Complaints considered under the formal complaint process**

1. Failure on the part of the institution to comply with their published policies and procedures.
2. Violation of applicable State laws
3. Failure, on the part of the institution, to comply with the Council of Regional Accrediting Commissions (C-RAC) Interregional Guidelines for the Evaluation of Distance Education<sup>2</sup> (institutions participating in SARA only)

Examples of issues that may arise for students include but are not limited to the following:

- a. Veracity of recruitment and marketing materials;
- b. Accuracy of job placement data;
- c. Accuracy of information about tuition, fees, and financial aid;
- d. Complete and accurate admission requirements for courses and programs;
- e. Accuracy of information about the institution's accreditation and/or any programmatic/specialized accreditation held by the institution's programs;
- f. Accuracy of information about whether course work meets any relevant professional licensing requirements or the requirements of specialized accrediting bodies;
- g. Accuracy of information about whether the institution's course work will transfer to other institutions; and
- h. Operation of distance learning programs consistent with practices exBC 0.002 th0(b)-1 ( p)-2 (

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e. Complaints against faculty

Appendix A: Formal Washington Student Achievement Council Complaint Process

