

Board of Trustees (BOT) Student Complaint Process Information

Background—

On October 29, 2010, the U.S. Department of Education (ED) published final regulations for improving the integrity of federal student aid programs authorized by the Higher Education Act of 1965. The final rules were the result of a year-long process led by the ED, which included feedback from students, consumers, public and private institutions, and accrediting agencies among other stakeholders. The rules issued by ED are intended to protect students and taxpayers.

The program integrity regulations are in the best interest of students, consumers, and taxpayers, and the spirit is to improve the quality of the programs offered at institutions by ensuring that all programs meet a threshold of quality. In particular, disadvantaged, high-need students who are the most vulnerable, are not well served by enrollment in programs that leave them with limited or low-paying job prospects and with crushing debt that they are unable to repay. Students who complete their educational programs should not expect results that leave them in a worse situation than when they began their educational programs. The regulations will hold institutions accountable and ensure that students can have confidence in the quality of the educational programs in which they invest their time, energy, and money. [Paraphrased from <http://www.nacacnet.org/issues-action/LegislativeNews/Documents/FinalRules.pdf>.]

The final regulations encompassed fourteen topics, one of which was “State Authorization”. Two core requirements exist under the topic of “State Authorization”:

- The institution must comply with any applicable State approval or licensure process.
- A State must have a process to review and address complaints.

While the first requirement prompted initial focus, ED is Now ensuring the second requirement is being met. In so doing, ED has held up required approvals for institutions. Example: 07-Apr-15, Barton requested approval of federal financial aid for the Mental Health Technician certificate. Barton did not receive notification of ED approval until 16-Nov-15. During the interim, there was discussion between the State of Kansas official and ED regarding the requirement for a state complaint process.

The final regulations addressed fourteen issues related to program integrity:

- Definition of High School Diploma
- Ability to Benefit
- Misrepresentation of Information to Students and Prospective Students
- Incentive Compensation
- State Authorization as a Component of Institutional Eligibility
- Gainful Employment in a Recognized Occupation
- Definition of a Credit Hour
- Agreements Between Institutions of Higher Education
- Verification of Information Included on Student Aid Applications
- Satisfactory Academic Progress
- Retaking Coursework
- Return of Title IV Funds: Term-based Programs with Modules or Compressed Courses
- Return of Title IV Funds: Taking Attendance
- Disbursements of Title IV Funds

Resolution—In working with ED, State of Kansas officials were able to explain the state educational authorities and their governance and determine a process that would satisfy ED. On 13-Nov-15, guidance regarding this issue was provided to Kansas community colleges by Linda Fund, representing KACCT. The guidance included recommendations for creating institutional BOT complaint processes. A draft BOT Student Complaint Process document following the provided recommendations has been prepared for your consideration. The verbiage would be made available on the BOT webpage.

BOT Student Complaint Process

To file a complaint, send a written complaint to:

Barton Community College Board of Trustees
245 NE 30 Rd
Great Bend, KS 67530

The written complaint should include the following information:

1. Name, current mailing address, phone number of complainant
2. Email address
3. Dates of your enrollment
4. Details of your complaint
5. Expected outcome

The Board will reply to you within 10 business days to let you know they have received your complaint and whether it requires any additional information. The Board will let you know their tentative plan for investigating and resolving the complaint, and will update you if it takes longer than originally planned. The Board will send you a written response, usually within 45 days of receipt of your complaint, explaining the investigation and the resolution.

In addition to utilizing the Board of Trustees complaint process, the student may use the following:

- Consumer protection and/or fraud complaints may be filed with the Kansas Attorney General's office. Complaint process -- <http://www.ag.ks.gov/file-a-complaint>.
- Discrimination complaints may be filed with the Kansas Human Rights Commission. Complaint process -- <http://www.khrc.net/complaint.html>.
- Complaints regarding State Authorization Reciprocity Agreement (SARA) courses delivered by SARA member community colleges may be filed by students enrolled in those courses with the Kansas Board of Regents office. Contact information -- <http://www.kansasregents.org/about/contact>
- Kansas Community Colleges are regionally accredited by the North Central Association of the Higher Learning Commission on Colleges and Universities (NCAHLC). Complaints regarding an institution's ongoing ability to meet the Criteria of Accreditation may be filed by following the guidelines at <https://www.hlcommission.org/HLC-Institutions/complaints.html>.