

Rhode Island Board of Governors
for Higher Education
The Shepard Building
80 Washington Street Suite 524
Providence, Rhode Island 02903

Enclosure 8a1

March 19, 2012

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February 24, 2012

TO: Members of the Board of Governors for Higher Education

FROM: Ray M. Di Pasquale, Commissioner 

SUBJECT: Approval of Proposed RIBGHE Student Complaint Procedure

MOTION:

THAT the Board of Governors for Higher Education approve the proposed Student Complaint Procedure; and

THAT the Board request that the institutions provide notification to their student bodies regarding the Board's adoption of this procedure.

BACKGROUND:

The proposed Student Complaint Procedure is in response to the U.S. Department of Education Final Rules Published October 29, 2010, regarding Program Integrity issues (requirements of 34CFR 600.9 et. al.):

Summary of Program Integrity Rules

The United States Department of Education Regulation 34 CFR 600.9, the "Program Integrity Rule," as part of its State authorization provisions, requires states to provide a process for students to file complaints relating to programs offered by postsecondary educational institutions authorized under Title IV of the Higher Education Act of 1965, as amended. The specific types of complaints covered by these regulations are:

- Allegations of state consumer protection violations, including, but not limited to fraud and false advertising;
- Allegations that state laws or rules addressing the licensure of postsecondary institutions have been violated; and
- Allegations regarding the quality of education or other accreditation requirements.

In compliance with the Federal Program Integrity Rule, the Rhode Island Board of Governors for Higher Education, the University of Rhode Island, Rhode Island College, and the Community College of Rhode Island have listed the following alternatives for individuals who wish to submit complaints regarding URI, RIC and CCRI, as well as the other institutions that are under the jurisdiction of the Board of Governors. It is expected that any student complaint will be filed in accordance with any procedures currently in place at the student's institution before resolution

is sought from the Board's Office of Higher Education or the institution's accreditation body. In the absence of a specific procedure, the complaint should be filed with the institution's President.

Recommended Content of the Complaint

Initial complaints should include the complainant's full name, address, and contact information, including e-mail address and telephone number. Complaints should specify enrollment status—whether the student is a current, former or prospective student; and they should be specific in describing the nature of the complaint and relevant information: the name of the parties involved, including witnesses, dates, the name of the institution, the policy or procedure violated (if known), and contact information. Any supporting material that substantiates the complaint should also be included.

Student Complaints Regarding the University of Rhode Island, Rhode Island College, and the Community College of Rhode Island

For complaints alleging consumer fraud:

Commissioner of Higher Education
RI Office of Higher Education
80 Washington Street, Suite 524
Providence, Rhode Island 02903

Written complaints and supporting documentation should be filed with the Commissioner of Higher Education at the Rhode Island Office of Higher Education, and they will be reviewed accordingly. In addition, students or other individuals with complaints involving an allegation of criminal activity will be referred to their campus police department, their local police department, or the Rhode Island State Police.

For complaints regarding state licensing of postsecondary institutions:

Commissioner of Higher Education
RI Office of Higher Education
80 Washington Street, Suite 524
Providence, Rhode Island 02903

Written complaints and supporting documentation should be filed with the Commissioner of Higher Education at the Rhode Island Office of Higher Education, and they will be reviewed accordingly.

For complaints relating to quality of education or accreditation requirements:

Commissioner of Higher Education
RI Office of Higher Education
80 Washington Street, Suite 524
Providence, Rhode Island 02903

Written complaints and supporting documentation should be filed with the Commissioner of Higher Education at the Rhode Island Office of Higher Education, and they will be reviewed accordingly. Complaints involving quality or accreditation requirements may also be filed directly with:

New England Association of Schools and Colleges (NEASC)
Commission on Institutions of Higher Education
209 Burlington Road, Suite 201
Bedford, Massachusetts 01730
(781)541-5413
<http://cihe.neasc.org/information> for the public/comments and complaints

In addition, complaints involving programs at the institutions that are accredited by a specific accrediting entity may be filed with that accrediting entity.

The University of Rhode Island's accreditation documents may be viewed at:
<http://www.uri.edu/assessment/accred.html>.

Rhode Island College's accreditation documents may be viewed at:
<http://www.ric.edu/aboutric/accreditation.php>.

The Community College of Rhode Island's accreditation documents may be viewed at:
<http://www.ccri.edu/acadaffairs/accreditation.html>.

For other types of student complaints involving URI, RIC or CCCRI, pursuant to Rhode Island law, §16-59-4(3), the Rhode Island Board of Governors for Higher Education may not intervene in the internal procedures of the university and colleges under its supervision (URI, RIC, and CCR). As such, the Board's review of such student complaints will be limited to a determination that the institution's internal complaint procedures have been utilized and followed, and that the institution has complied with its own applicable policies. Such review by the Office of Higher Education will be summary in nature and it will not involve the submission of any information or documentation that was not submitted at the institution level. Any student that has not yet used or completed the complaint processes available to him/her at their institution will be referred back to their institution. The Board, however, through its Office of Higher Education, does respond to complaints regarding allegations that raise significant questions about these institutions' compliance with the Board's policies and procedures as well as compliance with Rhode Island and federal law.

Written complaints and supporting documentation should be filed with the Commissioner of Higher Education at the Office of Higher Education, and they will be reviewed accordingly. In addition, students or other individuals with complaints involving an allegation of criminal activity will be referred to their campus police department, their local police department, or the Rhode Island State Police. Complaints involving allegations of discrimination will be referred to the institution's Affirmative Action Office and /or Rhode Island Commission for Human Rights (or the applicable federal EEOC office).

Before submitting a complaint, students are encouraged to try to address and reconcile his/her complaint by meeting with the appropriate official(s) at their institution, or by initiating a review through their school's internal dispute resolution/complaint process and/or academic grievance procedure.

Student Complaints Regarding Degree Granting Institutions and Proprietary Schools Operating in Rhode Island

Complaints Regarding Brown University, RI School of Design, Providence College, Bryant University, Johnson & Wales University, Roger Williams University, Salve Regina University, and New England Institute of Technology

The Rhode Island Board of Governors for Higher Education does not supervise Brown University, RI School of Design, Providence College, Bryant University, Johnson & Wales University, Roger Williams University, Salve Regina University, or New England Institute of Technology. As such, any complaints regarding these specific institutions should be filed with those schools.

Complaints Regarding Degree Granting Institutions Authorized to Operate in Rhode Island by the Board of Governors for Higher Education

Complaints regarding degree granting institutions authorized to operate in Rhode Island by the Board of Governors for Higher Education are addressed in the same manner as student complaints regarding proprietary schools, and as described below.

Complaints Regarding Proprietary Schools Operating in Rhode Island

Student complaints regarding a non-degree granting proprietary school are handled by the Board of Governors through its Office of Higher Education.

For complaints alleging consumer fraud:

Commissioner of Higher Education
RI Office of Higher Education
80 Washington Street, Suite 524
Providence, Rhode Island 02903

Written complaints and supporting documentation should be filed with the Commissioner of Higher Education at the Rhode Island Office of Higher Education, and they will be reviewed accordingly. In addition, students or other individuals with complaints involving an allegation of criminal activity will be referred to their campus police department, their local police department, or the Rhode Island State Police.

For complaints regarding state licensing of postsecondary institutions:

Commissioner of Higher Education
RI Office of Higher Education
80 Washington Street, Suite 524
Providence, Rhode Island 02903

Written complaints and supporting documentation should be filed with the Commissioner of Higher Education at the Rhode Island Office of Higher Education, and they will be reviewed accordingly. Complaints regarding programs that are also subject to approval by any other state agency will also be referred the applicable state agency (the RI Department of Health, for example).

For complaints relating to quality of education or accreditation requirements:

Commissioner of Higher Education
RI Office of Higher Education
80 Washington Street, Suite 524
Providence, Rhode Island 02903

Written complaints and supporting documentation should be filed with the Commissioner of Higher Education at the Rhode Island Office of Higher Education, and they will be reviewed accordingly. The Office of Higher education will attempt to resolve the matter with the school and student, however, if it is unable to do so, the student will be referred to the school's accrediting agency.

All students and /or third-party individuals who file the above and other types of complaints with the Office of Higher Education will be initially directed to follow the school's internal complaint procedure. If that procedure fails to resolve the complaint, the Office of Higher Education will then refer student and/or third party individuals with complaints related to federal or state laws or regulations to the appropriate federal or state agency. In addition, students or other individuals with complaints involving an allegation of criminal and/or illegal activity will be referred to their campus police department, their local police department, or the Rhode Island State Police. Complaints involving allegations of discrimination will be referred to the institution's Affirmative Action Office and /or Rhode Island Commission for Human Rights (or the applicable federal EEOC office).

ASAC Review. The Academic and Student Affairs Committee engaged in a robust discussion regarding the proposed student complaint procedure. The ASAC approved the procedure on Friday, February 24, 2012.