

South Carolina Commission on Higher Education

Academic Affairs

1122 Lady Street, Suite 300, Columbia, SC 29201

Telephone (803) 737-2260; FAX (803) 737-2297

Website: www.che.sc.gov

Student Complaint Procedures and Form

Disclaimer Information

The SC Commission on Higher Education responds to formal complaints from students against public, independent non-profit and proprietary institutions of higher education in South Carolina. However, the Commission has limited authority over public and non-profit independent colleges and universities and cannot offer legal advice or initiate court proceedings. The Commission may not review student complaints in the following situations:

- where the complainant has retained legal counsel or legal action.
- where the complaint is related to course grades, academic sanctions, or discipline/conduct matters unless the student can prove that the institution did not comply with its policies and procedures for appeal.
- where another governmental agency has a process or jurisdiction to mediate the complaint.
- if the complaint was submitted to the Commission anonymously.

State Authorization Reciprocity Agreement (SARA)

South Carolina participates in the State Authorization Reciprocity Agreement (SARA). The South Carolina Commission on Higher Education serves as the state's portal agency for SARA and is the final authority for SARA-related complaints. If an out-of-state student enrolled in an SC institution via distance education wishes to file a complaint, he or she may complete and submit the Commission's complaint form below.

Guidelines for Filing a Student Complaint

In absence of mitigating circumstances, students must submit a complaint to the Commission within two calendar years of exhausting the appeals process at the institution.

Step 1: If a student has concerns related to classroom situations or administrative actions, he/she should contact the faculty or staff member(s) with whom he/she has a conflict. It may be possible to resolve the concerns without the need for formal institutional action. However, if the student's complaint is not resolved satisfactorily, or if the complaint cannot be resolved by contacting the faculty or staff member(s), the student should proceed to Step 2.

Step 2: The student should file a complaint through the institution's complaint process. Information about the process can usually be found in the institution's academic catalog, student handbook, or website. Many institutions have an ombudsman to mediate on behalf of the student. If the student is still unable to resolve the complaint, the student should proceed to Step 3.

Step 3: Investigate to where assistance may be available from other entities.

- **SC Public Technical Colleges:** Students enrolled at a South Carolina technical college should contact the SC Technical College System office.
Website: <http://www.sctechsystem.edu/students/student-complaint-form.html>
- **Independent Nonprofit Institutions:** Students enrolled at an in-state independent nonprofit institution should contact the SC Independent Colleges and Universities.
Website: <http://www.scicu.org/contact/>
- **Nursing:** Students enrolled in nursing licensure programs should contact the SC Department of Labor, Licensing, and Regulation, Board of Nursing.
Website: <http://www.llr.state.sc.us/POL/Nursing/index.asp?file=STAFF.HTM>
- **Barbering:** Students enrolled in barbering programs should contact the SC Department of Labor, Licensing, and Regulation, Board of Barber Examiners.
Website: <http://www.llr.state.sc.us/POL/Barber/>
- **Cosmetology:** Students enrolled in cosmetology, nail tech, or esthetic programs should contact the SC Department of Labor, Licensing, and Regulation, Board of Cosmetology.
Website: <http://www.llr.state.sc.us/POL/Cosmetology/>
- **Distance Learning:** Students enrolled in distance learning programs should contact the state authorization agency in the home state of the institution. Each institution includes state authorization information on its website.
Website: <http://www.nasasps.org/listing-of-regular-members>
- **Discrimination:** If a student believes that an institution has acted in a discriminatory manner, he or she may wish to contact the South Carolina Human Affairs Commission or the U.S. Department of Education's Office for Civil Rights.
SCHAC Website: <http://www.schac.sc.gov>
USED Website: <http://www2.ed.gov/about/offices/list/ocr/index.html>
- **Disabilities Accommodation:** If a student believes that an institution has not complied with the requirements of Section 504 of the *Rehabilitation Act of 1973* or Title II of the *Americans with Disabilities Act of 1990*, which prohibit discrimination on the basis of disability, contact the U.S. Department of Education, Office for Civil Rights.
Website: <http://www2.ed.gov/about/offices/list/ocr/transition.html>
- **SC Financial Aid:** If a student has been denied South Carolina state-based financial aid, he or she may file an appeal with South Carolina Commission on Higher Education, Division of Student Affairs.
Website: <http://www.che.sc.gov/Students,FamiliesMilitary/Appeals.aspx>
- **Federal Financial Aid:** For student issues related to federal financial aid, contact the Ombudsman Group of the U.S. Department of Education for disputes related to Direct Loans, *Federal Family Education Loan (FFEL) Program* loans, *Guaranteed Student Loans*, and Perkins Loans.
Website: <https://studentaid.ed.gov/repay-loans/disputes/prepare/contact-ombudsman>
- **The Office of the Inspector General (OIG)** is charged with investigating and detecting fraud, waste, abuse, mismanagement, misconduct, or violations of state or federal law, and wrongdoing in the Executive Branch. OIG only has investigative authority over the Executive Branch of South Carolina State Government, which includes state-supported colleges and universities.
Website: <http://oig.sc.gov/Pages/default.aspx>

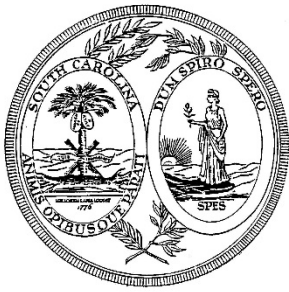
Step 4: If the complaint cannot be resolved through the above channels, the student may file a complaint with the Commission. Complete and submit the Commission's complaint form below.

Commission Procedures for Reviewing a Student Complaint

- After receiving a complaint, Commission staff will review the submitted materials, and contact the complainant for any required additional information or clarifications.
- The Commission staff will then send a copy of the complaint to the institution against which the complaint has been filed and request a response, due within 30 calendar days.
- After receiving the response, Commission staff will determine whether the institution's complaint process has been followed and exhausted and what additional steps or follow-up may be taken. The Commission may outsource the investigation to another government agency.
- If it is concluded that the allegations do not establish a violation of standards or any serious deviation of educational standards imposed by the Commission, a letter is sent to the complainant confirming this, along with a copy of the institution's response.
- If it appears that a standard has been violated or that the institution has not complied with the institution's established policies, staff will attempt a settlement through mediation.
- If there is evidence that the institution may no longer be maintaining minimum standards, an investigation may be made to determine other actions.
- Results of the investigation are sent to both the complainant and institution.

Mail the complaint and required documentation to:

SC Commission on Higher Education
Academic Affairs
Attn: Student Complaint
1122 Lady Street, Suite 300
Columbia, SC 29201
or
E-mail: submitcomplaint@che.sc.gov



Complaint Form

Student Information

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Email: _____

Institution Information

Name of Institution: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Person(s)/Committee Who Made Final Determination: _____

Telephone: _____ Email: _____

Details of Complaint

Program of Study: _____

Dates of Attendance: Start: _____ End: _____

Date(s) of Incident: _____

1. Have you completed the institution's complaint process and received a final determination?

Yes...

- Provide a copy of the institution's complaint resolution procedure.
- Provide documentation of your exhaustion of the institution's complaint resolution procedure including any final letters of determination issued by the institution.

No...

- Your complaint will not be considered until this requirement is met.

2. Information to include in your complaint.

- The events or circumstances upon which the complaint is based.
- The names and titles (if any) of the individuals involved.
- A statement of the resolution you seek.
- List of other entities such as the institution's accrediting agency or other state or federal agencies where you have also filed a complaint. Include name of entity, contact person, date filed, and status of the complaint.

Authorization

Initial the following:

- a. ___ I authorize the South Carolina Commission on Higher Education (CHE) to transmit a copy of my complaint (along with any attachments) to the institution for its response.
- b. ___ I authorize CHE, as part of its investigation of my complaint, to contact and discuss my complaint with officials, faculty, and staff at the institution.
- c. ___ I authorize the CHE to transmit this complaint and attachments to another state agency (such as the Office of the Attorney General or South Carolina Department of Education), a federal agency, the institution's accrediting agency, or an educational association to which the institution belongs.
- d. ___ I authorize the CHE to transmit this complaint (along with any attachments) to the appropriate state university system for investigation and resolution, if my complaint pertains to an institution in the State Technical College System or the University of South Carolina system.
- e. ___ I understand and agree that the CHE and its staff are not my agents or attorneys nor do they represent me in a legal capacity.
- f. ___ I understand that the Commission will not mediate complaints where the complainant has retained legal counsel or initiated legal action.
- g. ___ I understand and agree that CHE may disclose the information in response to a request under the Freedom of Information Act, Title 30, Chapter 4, *SC Code of Laws, 1976*, as amended.
- h. ___ I authorize institution representatives to photocopy and release documents or the complete and entire contents of my student financial, academic, personal, and all other records held by the institution upon request by CHE.
- i. ___ I authorize the institution to release my records to and discuss my records with CHE to investigate and act upon the complaint.
- j. ___ I agree to hold CHE and the institution harmless from any and all liability for the release of my records to any entities as specified above or any release of information as requested by accrediting authorities or government agencies.
- k. ___ I understand that the Commission may not have jurisdiction to mandate resolution of my complaint.

Declaration and Signature

I declare under penalty of perjury under the laws of the State of South Carolina that the allegations contained in this complaint are true and accurate to the best of my knowledge and belief.

Signature: _____

Typed/Printed Name: _____