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October 15, 2013

Nancy J. Kessinger
Veterans Benefits Administration (20M33)
Department of Veterans Affairs
810 Vermont Avenue NW
Washington, DC 20420

Dear Ms. Kessinger:

This comment is in response to the Federal Register opportunity for public comment on OMB Control No. 2900—NEW (Principles of Excellence Complaint System Intake) published August 28, 2013. The Institute for College Access & Success (TICAS) is an independent, nonprofit organization that works to make higher education more available and affordable for people of all backgrounds. By conducting and supporting nonpartisan research and analysis, TICAS aims to improve the processes and public policies that can pave the way to successful educational outcomes for students and for society.

We thank you for working to design an effective complaint system to provide a standardized method to submit a complaint against an educational institution. As discussed by the President in his remarks when issuing Executive Order 1307 in April 2012 and documented extensively by the U.S. Government Accountability Office in its report For-Profit Schools: Experiences of Undercover Students Enrolled in Online Classes at Selected Colleges (October 2011) and by the U.S. Senate HELP Committee in its report For Profit Higher Education: The Failure to Safeguard the Federal Investment and Ensure Student Success (July 2012), there is overwhelming evidence of some for-profit colleges misleading veterans and other prospective students and loading students with debts they cannot repay .

Our comments focus on how complaints will be handled once they are received by the Department of Veterans Affairs (VA).

Resolution: It is unclear if the VA plans to take any action to resolve complaints against an institution, or if any response by the institution to the complaint will deem it resolved. We encourage you to implement a robust complaint resolution mechanism, similar to the process used by the Consumer Financial Protection Bureau (CFPB).

For instance, following the institution's formal response to the complaint, the VA could follow up with the complainant to determine if he or she is satisfied with the response from the institution and further investigate if the complainant is not satisfied. The CFPB complaint process is outlined here: http://www.consumerfinance.gov/complaint/.

Validity: We encourage the VA to clearly define what a valid complaint entails, and we believe that all complaints, not just those deemed valid by the VA, should be uploaded into the FTC

Consumer Sentinel Network. This will allow all law enforcement agencies that access Consumer Sentinel to determine if a pattern of behavior by a particular institution emerges, if an institution is potentially in violation of relevant state and/or federal laws and to take appropriate action. The entry in Sentinel could still designate whether the VA determined that the complaint was valid or not, but it should not be limited to those deemed valid.

Institutional-Level Profile: In compiling an institution-level profile of the types of complaints received, we caution that these reports should be grouped by institution, and also by institutions controlled by the same entity, and *not* by campus. Reporting at the campus level would not be effective as it could obscure identifiable problems and patterns for institutions with multiple campuses. For some for-profit institutions with multiple campuses that can number in excess of 100, this information will be more valuable in identifying institution-wide risk.

Finally, we encourage you to delineate between federal and private loans in the complaint intake form. While federal loans are designed to help ensure access for students to affordable financing of higher education and training, private loans are one of the riskiest ways to pay for college. By making this distinction on your intake form, it will be easier to identify borrowers at greatest risk. Additionally, it can help to identify institutions that may have high rates of private loan borrowing, thereby creating more risk to their students. These data can provide additional information for the streamlined comparisons of institutions that can help inform the VA's institutional profiles.

Thank you again for your efforts to design and implement an effective complaint system. If you have any questions about our comments, please contact me at (202) 223-6060 ext. 602 or at jmais@ticas.org.

Sincerely,

Joseph Mais
Senior Policy Analyst