

STUDENT COMPLAINT PROCEDURES

Internal

For all internal complaints (i.e. student on student or student on employee) see the Ihanktonwan Community College (ICC) Student Handbook for instructions on submitting those complaints to the proper personnel. All internal complaints will be addressed according to ICC policy.

In order for institutions of higher education to participate in the federal student aid programs authorized by Title IV of the Higher Education Act of 1965, an institution must be legally authorized to provide post-secondary educational programs within the state in which it is located. ICC is a Additional Location of Sinte Gleska University (SGU) an accredited institute of the Higher Learning Commission (HLC)

By rule promulgated by the U.S. Department of Education, part of this "state authorization" requirement is that the state must have "a process to review and appropriately act on complaints concerning the institution including enforcing applicable State law." 34 C.F.R. § 600.9(a) (1).

Tribal institutions must also meet this provision if authorized by name to offer educational programs beyond secondary education by an Indian tribe, provided that the institution is located on tribal lands and the tribal government has a process to review and appropriately act on complaints about an institution and enforces tribal requirements or laws.

A complaint or grievance can be related to academic problems, mistreatment by another, wrongful assessment of fees, record errors, or discrimination of any kind. In all instances that follow, the term "days" does not include Saturdays, Sundays, holidays or breaks in the academic year. No retaliation of any kind shall be taken against a student for participation in the filing of a complaint. Confidentiality is maintained throughout the process.

Filing an Informal Student Complaint Process:

- 1) A complaint should first be attempted to resolve the issue by submitting a written report to the individual(s) or office(s) involved.
- 2) Complete, sign and submit these forms:
 - a) ICC Student Complaint
 - b) Family Educational Rights and Privacy Act (FERPA).
- 3) This form can be obtained from these offices and on ICC's website:
 - a) ICC's website under Student — Student Forms
 - b) Student Service Officer
 - c) Admissions/Registrar
 - d) Financial Aid
- 4) Return the completed forms to the Student Service Officer.

- 5) Within seven (7) days, the student filing a complaint will receive a follow-up call or email from the Student Service Officer to address his/her concern(s) and to advise the student on available options and/or next step.

Student Complaint Procedures:

- 1) A student will be advised to discuss the grievance informally with the person who is the source of the grievance within four (4) business days of the occurrence of the incident being grieved. If, however, a student feels he/she cannot comfortably discuss the matter with the person who is the source of their grievance, he/she may proceed to step two (2) below, but must do so within the four (4) business day time period.
- 2) If the grievance is not resolved through step one (1), the student may request an informal review by the administrator who directly supervises the employee, or by the Student Service Officer or designee if the complaint is against another student. The administrator must complete the review and provide a written answer to the student within four (4) business days of receipt of the request for informal review.
- 3) If the grievance is still not resolved through step two (2), the student can submit a formal written grievance, and must do so within four (4) business days from the date of notification of the results of step two (2). The formal grievance procedure begins when a written complaint is submitted to the Student Service Officer or designee and must contain the following:
 - a) Name, address and phone number of persons filing the grievance.
 - b) Nature of the grievance in full detail.
 - c) Place, date and time of alleged incident.
 - d) Name of person(s) accused of the violation.
 - e) Satisfactory Resolution/Requested action.
 - f) Any background information that student filing the complaint believes to be relevant.
- 4) The Student Service Officer or designee will meet with all persons involved in the complaint and will attempt to resolve the complaint with the student within seven (7) working days of receiving the written complaint. If the complaint cannot be resolved at this meeting, the Student Service Officer will take the complaint to the Academic Dean to review the complaint and make recommendations for resolution of the student's complaint.
 - a) The Student Service Officer will confer with the Academic Dean and then make a decision on resolving the complaint.
 - b) The Student Service Officer will provide a written final response that will be given to all parties involved within ten (10) business days of receiving the formal written complaint.
- 5) Records and minutes of all meetings and discussions concerning the complaint will be kept in a secure area of the Student Service Officer's office.
- 6) If the complaint involves a college rule or regulation, a student may appeal an official complaint through procedural steps up to the ICC President/Executive Director or designee.

The decision of the President or designee is final and binding. If the student does not agree with the final decision, he/she would have one more avenue to pursue with the ICC Board of Directors which is established as the governing entity for the college by the Tribal General Council. The decision of the Board is final and binding as duly designated by the Yankton Sioux Tribal Council and ICC charter.

- 7) If the complaint involves a board policy or the action of the ICC president, a student may further appeal the college decision to Ithanktonwan Community College's Board of Directors. The decision of the Board is final and binding as duly designated by Rosebud Sioux Tribal resolution.

Use of Outside Remedies:

If prior to filing a formal complaint or while such complaint proceedings are in progress as provided in the general policy, a grievant seeking resolution of his/her grievance in any other forum, be it administrative, social media, or judicial, Ithanktonwan Community College shall have the right, in its sole discretion, to terminate any further consideration of the complaint and will notify the complainant in writing.

External:

For external complaints that cannot be resolved by ICC administration such as a complaint concerning Title IV Federal funding, Academic Program Accreditation, or Tribal related issues please contact the following agencies.

Department of Education Student Complaint Links

In compliance with the federal Department of Education regulations, follow these links for information regarding filing complaints.

This is the link for an Office of Civil Rights (OCR) Complaint

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

The Office for Civil Rights (OCR) enforces five federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability and age in programs or activities that receive federal financial assistance from the Department of Education (ED).

Discrimination on the bases of race, color and national origin is prohibited by Title VI of the Civil Rights Act of 1964; sex discrimination is prohibited by Title IX of the Education Amendments of 1972; discrimination on the basis of disability is prohibited by Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 (Title II prohibits discrimination on the basis of disability by public entities, whether or not they receive federal financial assistance); and age discrimination is prohibited by the Age Discrimination Act of 1975.

These civil rights laws extend to all state education agencies, elementary and secondary school systems, colleges and universities, vocational schools, proprietary schools, state vocational rehabilitation agencies, libraries and museums that receive federal financial assistance from ED. Programs or activities that receive ED funds must provide aids, benefits or services in a

nondiscriminatory manner. Such aids, benefits or services may include, but are not limited to, admissions, recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, housing and employment.

OCR also enforces the Boy Scouts of America Equal Access Act, part of the Elementary and Secondary Education Act. Under this act, OCR can investigate complaints involving the denial of equal access or a fair opportunity to meet to, or discrimination against, any group officially affiliated with the Boy Scouts or affiliated with any other youth group listed in Title 36 of the United States Code, by a public elementary school, a public secondary school, or a state or local education agency that receives funds from ED.

This is the link for the Federal Student Aid Ombudsman Group:

<http://studentaid.ed.gov/repay-loans/disputes/prepare>

If you have completed the steps to resolve your loan dispute and you still are not satisfied, you may need to contact the Federal Student Aid (FSA) Ombudsman Group of the U.S. Department of Education (ED). The Ombudsman Group is a neutral, informal, and confidential resource to help resolve disputes about your federal student loans.

Contact the Ombudsman Group as a last resort. Make every effort to resolve your student loan problems before contacting the Ombudsman Group.

This is the link for the Office of Inspector General (OIG):

<http://www.oighotline.ed.gov/hotline/instruction.aspx>

To promote the efficiency, effectiveness, and integrity of the Department's programs and operations, we conduct independent and objective audits, investigations, inspections, and other activities. Anyone knowing of fraud, waste, or abuse of Department of Education funds should contact the OIG Hotline to make a confidential report.

This is the link to the US Department of Education Principal Office Functional Statements:

http://www2.ed.gov/about/offices/list/om/fs_po/fsa/program.html Phone: 202.377.3173

The Program Compliance office is responsible for administering a program of monitoring and oversight of the institutions (i.e., schools (domestic and foreign), guarantors, lenders, and servicers) participating in the Department of Education's Federal Student Aid programs. The office establishes and maintains systems and procedures to support the eligibility, certification, and oversight of program participants. The office administers the Secretary's authority to assess liabilities, fine, suspend, terminate or take other actions against schools and serves as the initial arbitrator of such actions against guaranty agencies, lenders, and servicers. To accomplish this mission, the Program Compliance office is divided into the following groups:

- School Eligibility Service Group
- Financial Institution Oversight Service Group

- Administrative Actions and Appeals Service Group
- Performance Improvement and Procedures Service Group
- Technical and Business Support Service Group

School Eligibility Service Group

The School Eligibility Service Group (SESG) is responsible for administering a program of eligibility, certification, management improvement services, and oversight of schools, and their servicers, participating in the Department of Education Federal Student Aid Programs. This compliance program, which also includes financial analysis and audit resolution, is administered in accordance with policies and procedures established by the Performance Improvement and Procedures Service Group and using the automated systems and facilities developed and maintained by the Technical and Business Support Service Group.

To accomplish this mission, the School Eligibility Service Group is divided into the following School Participation Divisions (SPD) that specialize in the business processes necessary for managing accountability in campus administration of Federal Student Aid Programs. There are eight School Participation Divisions – seven for domestic schools and one Division that focuses on foreign schools' responsibilities.

- New York/Boston School Participation Division
- Philadelphia School Participation Division
- Atlanta School Participation Division
- Chicago/Denver School Participation Division
- Dallas School Participation Division
- Kansas City School Participation Division
- San Francisco/Seattle School Participation Division
- Foreign Schools Participation Division

Each of the Regional Divisions has responsibility for the oversight and management improvement services of specific schools assigned to them. These Divisions have the following common responsibilities:

- Examines, analyzes, and makes determinations on the initial and renewal eligibility applications submitted by schools for participation in the Federal Student Aid program.
- Processes and maintains records of schools' Program Participation Agreements and notices of eligibility to participate in the Federal Student Aid program.
- Monitors schools and their agents through on-site and off-site reviews and analysis of various reports to provide early warning of program compliance problems and takes appropriate actions.
- Performs financial analyses and monitors financial status.
- Requests letters of credit and heightened cash monitoring actions.
- Manages and monitors missing/late audits and financial submissions.
- Schedules and conducts compliance initiatives reviews, as needed.
- Performs audit resolution.
- Identifies closed, bankrupt, and troubled schools and notifies appropriate Department of Education offices.

- Works with state agencies and accrediting agencies on closed schools and other issues.
- Identifies requirements for tuition recovery programs and coordinates the fulfillment of these requirements.
- Evaluates and acts upon the findings, conclusions, and recommendations produced by other FSA units, e.g., negative cash.
- Determines liabilities and/or recommends administrative actions.
- Works closely with and/or refers matters to the Office of Inspector General and Administrative Actions and Appeals Service and other offices.
- Collaborates with Performance Improvement and Procedures Service on the development and/or revision of policies and procedures.
- Reviews and updates pertinent institutional databases.

Higher Learning Commission - <http://ncahlc.org/HLC-Institutions/complaints>

Individuals interested in bringing an appropriate complaint to the attention of the Commission should take some time to compile a complete submission as outlined below. There is no complaint form.

1. Write a cover letter directed to the Commission containing a brief narrative of the facts of the complaint. In most cases, such a narrative need be no longer than a few pages.
2. Indicate in your complaint why you believe the issues raised in your complaint are accrediting issues. If possible, please review the Commission's Criteria for Accreditation on the Commission's Web site prior to writing this section. You should also indicate how you believe the Commission can assist you with this matter. Remember that the Commission cannot assist you in understanding your tuition bill, arranging for a refund of tuition, obtaining a higher grade for a course, seeking reinstatement to an academic program, etc.
3. Attach documentation to support your narrative wherever possible. (For example, if you make reference in your complaint to an institutional policy, include a copy of the policy with your complaint.) Helpful documentation might include relevant portions of the catalog, letters or e-mail exchanged between you and the institution, learning agreements, etc.
4. A few reminders—
 - Please type your complaint or print very neatly.
 - Please do not use abbreviations or nicknames (e.g., NMS or USC or U of N).
 - Sign and date the cover letter.
 - Include contact information for future correspondence, with a street address.
 - If you are writing on behalf of someone else (son/daughter or client), be sure to provide that person's consent in writing to allow you to communicate with the Commission on his/her behalf.
5. Mail the letter and its attachments to the Commission's office at 230 South LaSalle Street, Suite 7-500, Chicago, IL 60604-1413. The Commission does not have an online complaint system and does not accept complaints via e-mail.

Please note that The Commission will not consider those complaints that are not in writing and do not contain the elements noted here. The Commission's complaint policy precludes it from considering matters more than five years old.

The Commission will acknowledge your complaint within thirty days of receiving it and let you know whether your complaint is complete and whether it raises issues that are related to accrediting requirements or whether it is an individual dispute outside the jurisdiction of the Commission's complaint policy.

Ihanktonwan Oyate (Yankton Sioux Tribe)

Anyone who wishes to file a complaint for tribal related issues may contact the Office of the Yankton Sioux Tribal Court, at P.O. Box 280, Wagner, SD 57380; Phone: 605-384-5578.; Fax: 605-384-5892.

Ihanktonwan Community College is an independent agency of the Ihanktonwan Oyate (Yankton Sioux Tribe) with an autonomous governing system. However, all actions must be in accordance with the Yankton Sioux Tribal Constitution, under which the Yankton Tribal Court has the authority to resolve disputes involving Tribal members and non-members in accordance with Ihanktonwan Oyate laws, customs and traditions.

South Dakota State Board of Directors

In accordance with 34 CFR 600.9 State Authorization, Ihanktonwan Community College has been determined to be authorized by name to offer educational programs beyond secondary education by the Ihanktonwan Oyate (Yankton Sioux Tribe) under:

"600.9 (a) (2) (ii) As defined in 25 U.S.C. 1802(2), an Indian tribe, provided that the institution is located on tribal lands and the tribal government has a process to review and appropriately act on complaints concerning an institution and enforces applicable tribal requirements or laws."

Therefore, the South Dakota Board of Directors has no oversight authority for Ihanktonwan Community College. Please see the information listed in the Ihanktonwan Oyate (Yankton Sioux Tribe) section for complaints within the state jurisdiction.