

Institutional Complaint Process

Section 494C(j) of the Higher Education Act of 1965, as amended, provides that a student, faculty member, or any other person who believes he or she has been aggrieved by an institution of higher education has the right to file a written complaint.

In New York State, a complaint may be filed by any person with reason to believe that an institution has acted contrary to its published standards or conditions or that conditions at the institution appear to jeopardize the quality of the institution's instructional programs or the general welfare of its students. Any person who believes that he or she has been aggrieved by an institution on or after May 4, 1994, may file a written complaint with the Department within three years of the alleged incident.

How to File a Complaint

1. The person should first try to resolve the complaint directly with the institution by following the internal complaint procedures provided by the institution. An institution of higher education is required to publish its internal complaint procedure in a primary information document such as the catalog or student handbook. (The Department suggests that the complainant keep copies of all correspondence with the institution.)
2. If a person is unable to resolve the complaint with the institution or believes that the institution has not properly addressed the concerns, he or she may send a letter or telephone the Postsecondary Complaint Registry to request a complaint form. Please telephone 212-951-6493 or write to:

New York State Education Department
Postsecondary Complaint Registry
One Park Avenue, 6th Floor
New York, NY 10016

3. The Postsecondary Complaint Registry Form should be completed, signed, and sent to the above address. The completed form should indicate the resolution being sought and any efforts that have been made to resolve the complaint through the institution's internal complaint processes. Copies of all relevant documents should be included.
4. After receiving the completed form, the Department will notify the complainant of its receipt and make any necessary request for further information. When appropriate, the Department will also advise the institution that a complaint has been made and, when appropriate, the nature of the complaint. The complainant will also be notified of the

name of the evaluator assigned to address the specific complaint. The evaluator may contact the complainant for additional information.

5. The Department will make every effort to address and resolve complaints within ninety days from receipt of the complaint form.

Complaint Resolution

Some complaints may fall within the jurisdiction of an agency or organization other than the State Education Department.

These complaints will be referred to the entity with appropriate jurisdiction. When a complaint concerns a matter that falls solely within the jurisdiction of the institution of higher education, the complainant will be notified and the Department will refer the complaint to the institution in question and request that the matter receive a review and a response.

Upon conclusion of the Department's complaint review or upon a disposition of the complaint by referral to another agency or organization, or to the institution of higher education, the Department will issue a written notice to the complainant describing the resolution of the complaint. The complainant may contact the Department evaluator directly for follow-up information or for additional assistance.