



February 15, 2023

Joseph L. Garcia, Executive Director  
Education Service  
Veteran Benefits Administration  
*Via email*

Re: Our January 12, 2023 Meeting and Feedback Tool

Dear Director Garcia,

Thank you again for your time and help on the GI Bill Feedback Tool. At your suggestion, we are providing notes from our meeting on January 12, 2023, regarding the [Feedback Tool](#). In the meeting we shared our previous [comments](#) regarding the Feedback Tool submitted on February 18, 2022 in response to a call for information from the Department of Veterans Affairs. For ease of reference we are attaching those comments again for your consideration.<sup>1</sup>

The broad topics of our January 12 meeting included: the Veteran Benefits Administration (VBA) practices in making the Feedback Tool complaint information available in the GI Bill Comparison Tool and in Consumer Sentinel; the student veteran's experience with using the Feedback Tool; and Education Service's proposal of a star ratings system for student veterans' to review schools. Below is a summary of our discussion along with additional information and questions about the star rating system.

#### Sharing the Feedback Tool Complaint Information in Consumer Sentinel

- 1) All complaints submitted in the Feedback Tool will be uploaded to Consumer Sentinel, including anonymous complaints and complaints that VBA considers "invalid," i.e. per VBA assessment as not touching on veterans' education benefits.
  - This is an issue that FTC and Education Department lawyers have requested and that VES has raised previously, and we were encouraged to hear agreement from your team.
  - Timeline: Your team planned to check this immediately to ensure that all complaints are being uploaded to Consumer Sentinel.

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<sup>1</sup>Veterans Education Success Letter Regarding Principles of Excellence Complaint Feedback Tool, OMB Control No. 2900-0797 (Feb. 18, 2022)  
<https://vetsedsuccess.org/our-letter-to-va-on-the-principles-of-excellence-complaint-feedback-tool/>

## Providing Feedback Tool Complaint Information in the GI Bill Comparison Tool

- 2) We renewed our request for the Comparison Tool to show the history of complaints received through the Feedback Tool, rather than showing only the complaints from the most recent two years.
  - In 2019, VBA changed the Comparison Tool to show only those complaints submitted in the last 24 months, reportedly at the request of for-profit education companies. As we understand it, the explanation for the change is that complaints in the most recent two years are considered the more important information for student veterans, and including older complaints could somehow misinform students. On the contrary, prospective students should be provided the school's full history of complaints, allowing veterans to decide for themselves whether a school's long history of complaints matters in their decision making.
  - We have suggested that complaints could be organized by year so that veterans know when the complaints were made.
  - Further, prospective students, state approving agencies, accreditors, other federal agencies and academic researchers deserve to know if a school has a long history of student complaints.
- 3) Based on our own as well as veterans' observations, it can sometimes take several months, even after the complaint is closed, for complaint information to show up in the Comparison Tool.
  - Your team is checking on any system issues that may be causing a delay in the complaints showing in the Comparison Tool. We would be grateful for any updates you can provide about this.
- 4) The information in the Comparison Tool should include, at a minimum, whether the school responded to the complaint and whether the complaint was resolved to the satisfaction of the veteran.
  - Your team explained that when a school does not respond to the complaint as requested by VBA, then that may be cause for additional scrutiny from VA/State Approving Agencies.
  - There seemed to be general agreement in the meeting that it is important for student veterans to know whether a school failed to respond to complaints received through the Feedback Tool. Would you please let us know if VBA will post this information?
  - Disclosing information about school response rates and student satisfaction with the responses adds context to older complaints and helps students make informed choices based on historical complaint data.
  - Further, as discussed, it is a common consumer protection practice to disclose whether complaints were resolved to the satisfaction of the complainant and/or

whether the response from the business was disputed by the complainant, as is the practice of the [Better Business Bureau](#)<sup>2</sup> and the [CFPB](#)<sup>3</sup>.

### Using the Feedback Tool

- 5) Veterans need the ability to include attachments when submitting a complaint through the Feedback Tool. We discussed that student veterans want the option to submit records and documents that would assist with demonstrating their concerns. As of now the Feedback Tool does not allow filers to upload attachments.
  - We understood from our discussions that your team recognizes the importance of this request and will work on modifying the Feedback Tool so that attachments can be included.
  - Timeline: TBD, but Education Service will review to determine if the capability can be included with other modifications that are underway or planned. Would you please let us know?
- 6) Technical support staff should be available to provide assistance when complaints are submitted. We discussed that student veterans report that there is no one available to assist with submitting complaints or to answer questions or provide status updates.
  - Your team noted that there is a help number available, but they will need to find out how calls to that number are routed and how well staffed that number is.
  - Timeline: Your team is looking into this immediately to assure assistance is available and provided as needed.
- 7) VA should collect additional information when complaints are submitted by third-parties on behalf of student veterans. We discussed that when a family member or a veterans service organization is submitting the complaint on behalf of the veteran, there is not a specific field that collects the student veteran's name. When the complaint is forwarded to the school, the name of the person assisting the veteran is provided rather than the name of the veteran. Unless the student's name is mentioned in the body of the complaint, the school may not have the ability to address the complaint or the complaints may not get forwarded to the school.
  - We understand that your team is reviewing the possibility of modifying the Feedback Tool to include a specific field or data point for the student's name when being completed by a third-party.
  - Additionally, your team is considering adding directions to remind third-party filers to include the student's name and identifying information in the body of the complaint so that the school will know who it is about.
- 8) VA should make the descriptions of the reasons for a FeedbackTool Complaint more understandable and complete. As described in our comments from February 18, 2022, the terms are not always user-friendly or easy to understand. In addition, the explanations are generally too narrow, which could make student veterans think that

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<sup>2</sup>Better Business Bureau, Complaints <https://www.bbb.org/process-of-complaints-and-reviews/complaints>

<sup>3</sup>Consumer Financial Protection Bureau, How We Share Complaint Data, <https://www.consumerfinance.gov/complaint/data-use/>

something they experienced does not rise to the level of misconduct about which VA wants to learn.

- Your team is reviewing the February 18, 2022 comments we submitted and will determine if they can implement the changes requested.

### Proposed Star Rating and Review System

- 9) Finally, in relation to our request to make more information from student veteran complaints available on the Comparison Tool, you mentioned that the Education Service is working on a star rating system to allow veterans to rate a school and possibly include a narrative about their experiences.
- A well documented concern for consumer rating systems is that they are susceptible to unfair and deceptive manipulation by businesses, and we are concerned that the rating system under development at VA will be manipulated by schools that provide incentives to students to falsely post positive reviews. This past October, the [FTC announced](#) it is exploring rulemaking to tackle the persistent problems of paid positive reviews and fake reviews because “[d]eceptive and manipulated reviews and endorsements cheat consumers looking for real feedback on a product or service and undercut honest businesses.”<sup>4</sup> According to the FTC, “Research shows that many consumers rely on reviews when they’re shopping for a product or service, and that fake reviews drive sales and tend to be associated with low-quality products. The rapid growth of online marketplaces and platforms has made it easier than ever for some companies to create and use fake reviews or endorsements to make themselves look better or their competitors look worse.”<sup>5</sup> The FTC observed, **“It can be difficult for anyone—including consumers, competitors, platforms, and researchers—to distinguish real from fake, giving bad actors big incentives to break the law.”**<sup>6</sup>
- 10) With the FTC’s assessment of consumer rating reviews in mind, we urge the Education Service to approach its idea of a possible star rating system idea with extreme caution and we urge consideration of the following questions:
- a. Would VBA be able to prevent schools from encouraging or rewarding students to leave positive reviews or dissuading them from leaving negative reviews?
  - b. Would VBA be able to ensure that only student veterans are rating the school?
  - c. Does the VA have the capability and resources to monitor for abuses of the rating system?
  - d. Would former students have the ability to leave a rating and review?

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<sup>4</sup> Press Release, Federal Trade Commission, *FTC to Explore Rulemaking to Combat Fake Reviews and Other Deceptive Endorsements* (Oct. 20, 2022) <https://www.ftc.gov/news-events/news/press-releases/2022/10/ftc-explore-rulemaking-combat-fake-reviews-other-deceptive-endorsements>

<sup>5</sup> Id.

<sup>6</sup> Id.

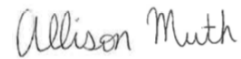
- e. Has VBA consulted the FTC about this idea and the best practices for a ratings system?

As always, we appreciate your time and consideration. We hope the foregoing summary is helpful. The notes reflect the best of our recollection, along with some additional concerns about the star rating review system. Please let us know your availability for a followup meeting to continue our discussions of the Feedback Tool and the GI Bill Comparison Tool.

Sincerely,



Della M. Justice  
Vice President for Legal Affairs



Allison Muth  
Senior Attorney