



August 15, 2024

Department of Veterans Affairs
Veterans Benefits Administration
810 Vermont Avenue NW
Washington, DC 20420
Via electronic submission

Re: GI Bill® School Feedback Tool, No Form, OMB Control No. 2900-0797, Document Number 2024-13219

Dear Sir/Madam:

Thank you for the opportunity to comment on the collection of information by the Veterans Benefits Administration (VBA) regarding the GI Bill® School Feedback Tool. This student complaint system was first authorized by Executive Order 13607,¹ *Establishing Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members*. The order directed the Departments of Defense and Veterans Affairs to create “streamlined tools to compare educational institutions using key measures of affordability and value” and “a strong enforcement system through which to file complaints when institutions fail to follow” the Principles of Excellence. The goals of Executive Order 13607 align with VA’s mission to serve and honor America’s veterans.

The student complaint system is also codified in 38 U.S.C. § 3698(b)(2), which requires the Secretary to provide “a centralized mechanism for tracking and publishing feedback from students and State approving agencies regarding the quality of instruction, recruiting practices, and post-graduation employment placement.”

We offer comments on the continuing need for this student complaint system and suggestions for its improvement below, building on recommendations we have previously shared with VBA.²

The proposed collection of information is necessary for the proper performance of VBA’s functions

We believe that the collection of this information is essential for the success of GI Bill students and the administration of educational benefits. The tracking and reporting of student feedback is essential because it:

¹ Exec. Order No. 13607, 77 FR 25861 (2012).

² Our Letter to VA on the Principles of Excellence Complaint Feedback Tool (Feb. 18, 2022), <https://vetsedsuccess.org/our-letter-to-va-on-the-principles-of-excellence-complaint-feedback-tool/>; Our Letter to VA Regarding January 12, 2023 Meeting and Feedback Tool (Feb. 15, 2023), <https://vetsedsuccess.org/our-letter-to-va-regarding-january-12-2023-meeting-and-feedback-tool/>.

- **Provides prospective students with key information to make informed college choices.** Feedback from other veterans³ helps prospective GI Bill students compare educational institutions and make careful college selections.
- **Enables VBA to provide customer service to veterans – to inform, support, and protect them.** The GI Bill® School Feedback Tool system is the primary method for students to lodge complaints against their school, to be heard, and to know that VBA has their backs.
- **Provides VBA with a critical early warning system** to enable proper oversight and efficient administration of the GI Bill. Student feedback can alert VBA to systemic problems at schools – such as missing or mishandled GI Bill funds, changes to degree requirements, or loans taken out without the veteran’s permission.
- **Protects taxpayer funds from waste, fraud, and abuse.** Knowing about problems enables VBA to stop improper payments to ineligible colleges – as VA’s Inspector General specifically pointed out.⁴

Ways to enhance the quality, utility, and clarity of the information to be collected

We offer recommendations to enhance the clarity of the GI Bill® School Feedback Tool and to increase the quality and utility of the complaint information collected and reported through the GI Bill Comparison Tool.

- **Utilize complaints to trigger risk-based surveys.** The Johnny Isakson and David P. Roe, M.D., Veterans Health Care and Benefits Improvement Act of 2020 requires state approving agencies (SAAs) to include student complaints submitted through the GI Bill School Feedback Tool in risk-based surveys.⁵ Although the statute does not require student complaints to trigger risk-based surveys, such complaints are an important early warning sign to VBA of fraud, and VBA should exercise its discretion to direct SAAs to conduct a risk-based survey of a school if complaints show a pattern of abuse or a serious violation of law or VA regulations.
- **Upload all complaints to Consumer Sentinel.** At a January 2023 meeting with the Education Service of VBA, we were told that all complaints would be uploaded to Consumer Sentinel, including complaints that VBA considers “invalid.”⁶ However, the Federal Register notice only states that “valid” complaints are submitted to Consumer Sentinel. We urge VBA to consult with its federal agency partners to recall that they uniformly and strongly believe VBA should upload all complaints into Sentinel and should not apply VBA’s own filters. Please recall that, at its August 2016 meeting discussing the Principles of Excellence with veterans and military organizations and

³ Where the term “veteran” is used, we also refer to other GI Bill beneficiaries.

⁴ *VA’s Oversight of State Approving Agency Program Monitoring for Post-9/11 GI Bill Students*, Department of Veterans Affairs, Office of Inspector General (Dec. 3, 2018), <https://www.oversight.gov/sites/default/files/oig-reports/VAOIG-16-00862-179.pdf>.

⁵ 38 U.S.C. § 3673A(b)(2)(C).

⁶ Our Letter to VA Regarding January 12, 2023 Meeting and Feedback Tool (Feb. 15, 2023), <https://vetsedsuccess.org/our-letter-to-va-regarding-january-12-2023-meeting-and-feedback-tool/>.

representatives of the Departments of Defense and Education, the Consumer Financial Protection Bureau (CFPB), and the Federal Trade Commission (FTC), VBA's federal agency partners specifically noted that VBA lacks sufficient experience in consumer protection law to deem complaints invalid. Moreover, VBA pledged to deem "valid" all complaints alleging a Principles of Excellence issue. Law enforcement agencies must have access to all student complaints if they are to enforce the law – as they specifically requested of VBA, and as VBA specifically pledged to do, in August 2016. We urge VBA to upload all complaints to Consumer Sentinel in a timely manner.

- **Do not close complaints until the student has an opportunity to react to the school's response.**⁷ Veterans tell us that VBA sends form letters saying that a student's complaint is "closed" once the school has responded – regardless of the nature or content of the school's response. Veterans report that this process leaves them feeling unsupported by VBA and as though VBA is taking the schools' side. Although the letter invites veterans to share additional information, veterans say it would not be worthwhile because the complaint has already been "closed." Instead of "closing" a complaint whenever a school has responded, we urge VBA to ask the veteran if the school's response is satisfactory – just as the CFPB does in handling consumer complaints. If the answer is yes, then it makes sense to close the complaint. If the answer is no, VBA should seek more information from the veteran.
- **The GI Bill Comparison Tool should indicate whether the school responded to the complaint and whether the student was satisfied with the resolution.** All complaints should be listed on the GI Bill Comparison Tool as closed either "to the satisfaction" of the student or not – which is the practice and recommendation of the CFPB. It should also be noted on the Comparison Tool when schools fail to respond to complaints. Disclosing information about school response rates and student satisfaction with the schools' responses adds context to complaints and helps students make informed choices.
- **Do not time-restrict the complaints shown on the Comparison Tool.** In 2019, reportedly at the behest of for-profit college lobbyists, VBA adopted a policy to show in the Comparison Tool only the complaints received in the most recent 24 months. This is not a veteran-centric policy and only serves to benefit schools with a history of complaints. The history, volume, and nature of complaints is relevant information and should not be hidden from veterans. Student veterans should be allowed to decide for themselves whether and how much a school's history of complaints matters in their decision making. SAAs, accreditors, other federal agencies, and academic researchers also would benefit from knowing a school's history of student complaints. VBA should return to its original practice of including a school's full history of complaints in the GI Bill

⁷ We have been concerned about this practice going back to 2013. Public Comment, OMB Control No. 2900-NEW (Principles of Excellence Complaint System Intake) (Oct. 15, 2013), <https://vetsedsuccess.org/public-comment-by-veterans-military-organizations-providing-suggestions-for-v-as-student-complaint-intake-system-2/>.

Comparison Tool. VBA should also post a caution flag when a school has received a large number of student complaints.

- **Continue accepting and valuing anonymous complaints.** We strongly agree with VA’s assessment, as stated in the Federal Register notice, that “allowing anonymous complaints will garner more ground truth on what is happening with Veterans using their education benefits at different schools.”⁸ Students may file anonymous complaints because they fear retaliation from the school or for a number of other valid reasons, and these complaints should be reported.
- **Give students the option to make the narrative portion of their complaint public.** Narratives would give prospective GI Bill students a real sense of the experiences of fellow students at a school. Complaint databases utilized by both the government (CFPB) and non-government companies, like the Better Business Bureau, include the narrative portions of consumer complaints. There is no reason not to include this information in the Comparison Tool.
- **Allow students to upload supporting documentation in the Feedback Tool.** At the January 2023 meeting, VBA Education Service agreed that it is important for student veterans to be able to upload documents to support their complaints and demonstrate their concerns. We were informed that VBA would look into modifying the Feedback Tool to allow the collection of attached documents. We urge VBA to continue to prioritize this addition to the Feedback Tool.
- **Make the Feedback Tool form more “user-friendly.”** Veterans and military service organizations have made this request since 2013.⁹ Many of the terms and descriptions in Step 4 are not easy for students to understand and fail to help VBA (and law enforcement, including the Inspector General) learn about the true breadth and nature of fraud students face. Generally, providing only one example of each category, especially without prefacing it with “For example,” implies that the category is limited to that specific type of harm, and students might not realize that something that happened to them is relevant to include. Specifically:
 - Recruiting or marketing practices: Students would understand this category better if “recruiting” was replaced with “admissions” or “enrollment.” Likewise, “marketing” could be replaced with “advertising.”
 - Accreditation: The description currently says, “*The school is unable to get or keep accreditation.*” But Executive Order 13607 specifically explains that some bad actor schools lie to students about the accreditation they have. A better description would include, “The school promised it had accreditation that was the

⁸ Agency Information Collection Activity: GI Bill School Feedback Tool (June. 17, 2024), <https://www.federalregister.gov/documents/2024/06/17/2024-13219/agency-information-collection-activity-gi-bill-school-feedback-tool>.

⁹ *Supra* note 7.

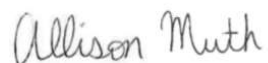
same as other schools”; “the degree you earned does not qualify you for the job you want”; and “the school told you that you would be able to obtain a license and you cannot.”

- Financial concern: The current description, “*The school is charging you a higher tuition or extra fees,*” could be clarified by adding the phrase “than you expected” or “than you were promised.” Please also add other examples that are important to protecting veterans and informing law enforcement, including, “The school promised the GI Bill would cover everything, but it didn’t” and “the school promised a ‘veteran discount’ but never gave it to you.”
 - Student loan: The description is too narrow to meet the Executive Order’s direction. Please add additional examples, including, “The school signed you up for loans without your permission”; “the school told you that you were signing up for grants, not loans”; and “the school told you that you needed to take out loans until your GI Bill payments came in.”
 - Post-graduation job opportunity: The description is too narrow to meet the Executive Order’s direction. Please add additional examples, including, “You can’t find a job in your field” and “the school did not deliver the job placement help it promised.”
 - Change in degree plan or requirements: The description is too narrow to meet the Executive Order’s direction. Please add additional examples, including, “The school discontinued a program that you were pursuing” and “the school signed you up for a program you did not want to study.”
 - Quality of education: The description is too narrow to meet the Executive Order’s direction. Please add additional examples, including, “The school did not deliver the hands-on education it promised”; “the school used outdated materials”; and “employers do not take your degree seriously.”
 - Transfer of credits: Students frequently share that their school told them their credits would transfer to other schools. The description could be improved by referencing this fact: “The school promised that your credits would transfer to other schools, but you have found out they won’t.” Another example would be, “The school promised it would accept credits you had previously earned, but it didn’t.”
 - Refund issues: The current description is not very clear, since students do not often receive refunds of the GI Bill. Please expand the description, such as, “The school has not returned your GI Bill funds to VA after you withdrew from a class.”
 - Other: Another issue that frequently arises is that a school does not accommodate a student’s military service, which Executive Order 13607 requires schools to do. This should be added to an existing category or shared as a new category of complaint.
- **Adjust the ability to submit a complaint on behalf of someone else.** Although a person can submit a complaint to the GI Bill School Feedback Tool on behalf of someone else, the tool states that the submitter’s name is sent to the school, rather than the name of the student. In many instances, the person submitting the complaint has no formal

representative capacity for the veteran and should not be the one with which the school communicates to resolve the complaint. As one example, a student's spouse or family member may submit the complaint for the student because he or she is deployed on active duty in the military and unable to access a computer. Also, a veterans service organization may submit complaints from veterans, with permission. The name of the third party can be collected by VA, but only the name of the student veteran that attended the institution should be shared with the school. Furthermore, the Feedback Tool should direct the respondent to provide the student's name in the body of the complaint in order to facilitate a resolution.

We appreciate your consideration of these perspectives and recommendations and stand ready to provide any support necessary should VBA choose to implement them.

Sincerely,

A handwritten signature in cursive script that reads "Allison Muth".

Allison Muth
Senior Attorney
Veterans Education Success