

WAC 250-61-190 Complaints. A student with a complaint against an authorized institution concerning loss of tuition and/or fees due to unfair or deceptive business practices or other violation of the standards for authorization detailed in the act and this chapter by the institution shall make a reasonable effort to resolve the complaint directly with the institution. If a mutually satisfactory solution cannot be reached, the following procedure shall be pursued:

(1) Upon receipt of a written complaint that an institution has failed or is failing to comply with the provisions of the act or this chapter, and documentation that the student has made a reasonable effort to resolve the complaint directly with the institution, the executive director shall notify the institution of the nature of the complaint and request appropriate information and documentation relating to the specific area(s) of the complaint.

(2) Within five business days, the institution must either respond with the requested information and documentation and a recommended resolution to the complaint or acknowledge receipt of the request and provide a reasonable estimate of the amount of time necessary to respond. If a recommended resolution is acceptable to the complainant, the process is completed at this point.

(3) If there is no recommended resolution or the complainant is not satisfied with a recommended resolution, the executive director will review the complaint to determine if the complaint falls within the scope of authority of the council under the act and this chapter and indicates a possible violation of the act and this chapter.

(4) If a complaint is found by council staff to be actionable, the council will negotiate with the institution to find an appropriate resolution.

(5) Council staff will then issue a final decision regarding the complaint and may require the institution to repay lost tuition and fees to the student.

(6) If the institution is unsatisfied with the final decision, the institution may request the council hold an administrative hearing as provided in WAC 250-61-210.

(7) A complainant is not bound by the council's determination of restitution and may pursue any other legal remedy.

(8) Any complaints must be filed within two years after the student's last recorded date of attendance in order to be considered by the council, unless a school has discontinued all Washington operations, in which case, complaints must be filed within one year of discontinuance of all Washington operations. Only the student or the student's legal guardian may file a complaint on behalf of the student.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 17-09-041, § 250-61-190, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-190, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-190, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-190, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-190, filed 11/20/86.]