

SUPPORTING STATEMENT – PART A

GI Bill® School Feedback Tool OMB Control Number 2900–0797

Summary of Changes from Previously Approved Collection

- GI Bill® School Feedback Tool.
- This currently approved OMB ICR expires 8/31/2024. This information collection renewal resulted in a very small increase in burden hours due to a slight increase in the number of responses received for the period(s) 2021, 2022 and 2023. This submission is therefore being submitted as a Revision. There is no form associated with this information collection.
- There are two Feedback Tool documents that will be electronically available.
- Received one comment on the 60-day FRN.

A. Justification.

1. Explain the circumstances that make the collection of information necessary. Identify legal or administrative requirements that necessitate the collection of information.

Executive Order 13607, Establishing Principles of Excellence, which is now identified as the GI Bill School Feedback Tool is used for Educational Institutions serving service members, Veterans, spouses, and other family members, requires the establishment of a centralized complaint system for students receiving federal military and Veteran educational benefits. The purpose of the complaint system is to provide a standardized method to submit a complaint against an educational institution alleging fraudulent and unduly aggressive recruiting techniques, misrepresentation, payment of incentive compensation, failure to meet state authorization requirements, or failure to adhere to the Principles of Excellence as outlined in the Executive Order.

The VA's Principles of Excellence GI Bill® School Feedback Tool leverages the Salesforce platform to collect and manage complaints. The complainants access the complaint system through the GI Bill website and eBenefits portal. Veterans, family members, or other members of the public are able to open links at the VA website location and enter the requested information. Complainants are offered the opportunity to review the information in their complaint prior to clicking on the submit button. Once a complaint is submitted, the complainant receives an email verifying that the complaint was received.

At this point, the complaint is stored in the complaint system and is available to select VA employees for review. VA reviews the complaint, and on behalf of the complainant, shares the complaint with the institution which is subject of the complaint. VA requests the institution to formally respond to the complaint within 90 days. If an institution fails to respond within 90 days, VA will contact the institution and request a status update.

Once VA receives a response from the institution, VA will forward the response to the complainant. At this point, VA will close the case. Valid complaints received are transmitted to the central repository at FTC Consumer Sentinel. The information in the central repository is the same information provided by the complainant. Authorized law enforcement officials who have been granted access to the FTC Consumer Sentinel database have access to view all complaints.

2. Indicate how, by whom, and for what purposes the information is to be used; indicate actual use the agency has made of the information received from current collection.

The respondent submits a complaint about an educational institution online through either the GI Bill website or the eBenefit portal. The information gathered can only be obtained from the individual respondents. Valid complaints will be accepted from third parties.

The Feedback Tool process for VA's complaint system data elements include:

- o **Institution/Employer:** There are over 36,000 educational institutions that are approved for VA education benefits.
- o **Anonymous Complaints:** The Feedback Tool Complaint System allows for a user to file anonymous complaints. Based on working group discussions with CFPB and FTC, VA believes that allowing anonymous complaints will garner more ground truth on what is happening with Veterans using their education benefits at different schools.
- o **Required fields:** As a result of allowing anonymous complaints, many of the fields will not be required by VA.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

The GI Bill® School Feedback Tool system leverages information technology to receive the complaint, case management for processing, and referrals as necessary. VA Management Analysts/Complaint Case Managers coordinate with educational institutions to reach a resolution for the individual. The complaints are uploaded to a central repository, FTC's Consumer Sentinel Network. All complaints will be accessible by state and federal agencies and law enforcement via the central repository. In addition, VA compiles a profile at the institutional level with the types of complaints received for other tools that provide streamlined comparisons of institutions. VA uses this profile information to conduct regular and risk-based compliance surveys for educational institutions.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The information obtained through this collection is unique and is not already available for use or adaptation from another cleared source.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The information collection involves individuals (Veterans, service members, and their family members). The information may be collected directly from individuals or submitted on behalf of someone else. The information may also be submitted anonymously. There is no impact on education institutions or small businesses for the information collection.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently as well as any technical or legal obstacles to reducing burden.

If this information is not collected, VA would not have a uniform manner for individuals to submit complaints for possible fraudulent, unduly aggressive recruiting, misrepresentation, or adherence with the Principles of Excellence GI Bill® School Feedback Tool against educational institutions. There are no technical or legal obstacles to reducing the burden of this information collection.

7. Explain any special circumstances that would cause an information collection to be conducted more often than quarterly or require respondents to prepare written responses to a collection of information in fewer than 30 days after receipt of it; submit more than an original and two copies of any document; retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study and require the use of a statistical data classification that has not been reviewed and approved by OMB.

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR 1320.5(d)(2).

8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the sponsor's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the sponsor in responses to these comments. Specifically address comments received on cost and hour burden.

A 60-Day Federal Register Notice (FRN) for the collection published on Monday, June 17, 2024. The 60-Day FRN citation is Volume 89 FRN 51392. One comment was received during the 60-Day Comment Period.

8/16/24, 7:39 AM

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Comment On: VA-2024-VACO-0001-0135
Agency Information Collection Activities; Proposals, Submissions, and Approvals: GI Bill School Feedback Tool; FR Doc No: 2024-13219; OMB Control No. 2900-0797; OMB Control No. 2900-0797

Document: VA-2024-VACO-0001-0388
Comment on ICR-GI Bill School Feedback Tool; Veterans Education Success

Submitter Information

Email: della@vetsedsuccess.org
Organization: Veterans Education Success

General Comment

OMB Control Number: 2900-0797 See attached comments regarding GI Bill School Feedback Tool.

Attachments

GI Bill School Feedback Tool Comments



VETERANS EDUCATION SUCCESS

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:

- 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 VBA'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 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 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:
 - o 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 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." 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,



Allison Muth
Senior Attorney
Veterans Education Success

- **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.

VA RESPONSE: Thanks for your support regarding improvements to the GI Bill Feedback Tool. Your one additional proposed recommendation as indicated above has also now been submitted to VA leadership for acknowledgement and consideration.

A 30-Day Federal Register Notice (FRN) for the collection published on Wednesday, August 21, 2024. The 30-Day FRN citation is Volume 89 FRN 67717.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

10. Describe any assurance of privacy, to the extent permitted by law, provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

This information will be destroyed three years after the date of final action on investigation or litigation. Our assurance of confidentiality is covered by our System of Records, Compensation, Pension, Education and Veteran Readiness and Employment Records – VA (58VA21/22/28), which are contained in the Privacy Act Issuances, 2012 Compilation.

11. Provide additional justification for any questions of a sensitive nature (Information that, with a reasonable degree of medical certainty, is likely to have a serious adverse effect on an individual's mental or physical health if revealed to him or her), such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private; include specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

No questions considered sensitive are being asked in this collection.

12. Estimate of the hour burden of the collection of information. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB 83-I. Provide estimates of annual cost to respondents for the hour burdens for collections of information. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14 of the OMB 83-I.

Estimation of Respondent Burden:

NO VA FORM

[GI Bill® School Feedback Tool]

There was a total of 3,667 responses received for calendar years 2021, 2022 and 2023, resulting in an average annual receipt of 1,222 responses received annually. The result calculates to a total of 305 burden hours.

- a. Number of Responses: 1,222.
- b. Frequency of Response: On occasion.
- c. Annual Burden Hours: $305 (1,222 \times 15\text{min.} / 60\text{min.} = 305)$.
- d. Estimated Completion Time: 15 min.

The respondent population consists of individuals (Veterans, service members, and their family members that submit complaints against schools and training establishments). The information may be collected directly from individuals or submitted on behalf of someone else. The information may also be submitted anonymously. VBA cannot make further assumptions about the population of respondents because of the variability of factors such as the educational background and wage potential of respondents. Therefore, VBA used general wage data to estimate the respondents' costs associated with completing the information collection.

The Bureau of Labor Statistics gathers information on full-time wage and salary workers. According to the latest available BLS data, the median weekly earnings of full-time wage and salary workers is \$1,259.20. Assuming a forty (40) hour work week, the median hourly wage is \$31.48 based on the BLS wage code of "00-000-0000 for "All Occupations." This information was taken from the following website https://www.bls.gov/oes/current/oes_nat.htm., May 2023.

Legally, respondents may not pay a person or business for assistance in completing the information collection and a person or business may not accept payment for assisting a respondent in completing the information collection. Therefore, there are no expected overhead costs for completing the information collection. VBA estimates the total respondent cost to be \$9,601.40 (305 burden hours X \$31.48 per hour).

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in items 12 and 14).

There are no annualized costs to respondents other than the labor burden costs addressed in Section 12 of this document to complete this collection.

14. Provide estimates of annual cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operation expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

Estimated Cost to the Federal Government: \$186,165.28.

[GI Bill® School Feedback Tool, No Form].

- a. Based on the number of complaints received and completed (1,222), 80% of the less complex complaint cases takes VA Management Analysts/Complaint Case Managers 30 minutes to complete, and 60 minutes to complete the remaining 20% for the more complex and egregious complaint cases. **See Chart Below for Reference:**
- b. In addition, the contract costs for complaint system currently remains at the standard \$145,000 for this reporting period.

Grade-WDC	Step	Burden Time	Hourly Rate	Percentage Completed	Total Responses	Total
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13	05	30min	\$56.1 6	80%	(978)	\$27,462.24
13	05	60min	\$56.1 6	20%	(244)	\$13,703.04
--	--	--	--	--	--	\$41,165.28
Overhead at 100% Salary						\$41,165.28
Overhead costs are 100% of salary and are the same as the wage listed above; and the amount is included in the total.						
Processing / Analyzing Costs						\$41,165.28
Printing and Production Cost						\$0
Contract Costs for complaint system						\$145,000.00
Total Cost to Government						\$186,165.28

Note: The hourly wage information above is based on the hourly 2024 General Schedule (Base) Pay. https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/24Tables/html/RUS_h.aspx.

15. Explain the reason for any burden hour changes since the last submission.

This information collection renewal resulted in a very small increase in burden hours due to a slight increase in the number of responses received for the period(s) 2021, 2022 and 2023. This submission is therefore being submitted as a Revision.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The results of this information collection will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We are not seeking approval to omit the display of the expiration date of the OMB approval on the collection instrument.

18. Explain each exception to the certification, "Certification for Paperwork Reduction Act Submissions," of OMB83-1.

We are not requesting any exemptions to the provisions stated in 5 CFR 1320.9.

B. Collection of Information Employing Statistical Methods.

This collection of information does not employ statistical methods. If statistical methods are employed, Part B must be completed.