

## **STUDENT COMPLAINTS AND DUE PROCESS PROCEDURES**

Members of the Daybreak University community may bring complaints or concerns about harassing or discriminatory behavior to the Academic Dean. The University may seek informal resolution when it receives allegations of unlawful discrimination or harassment. If an informal resolution does not result, a formal process may be initiated by submitting a complaint or grievance to the Dean. Initially, concerns may be communicated orally; however, they should be submitted in writing before any formal review takes place. The written complaint should specify the University policy violated and all relevant factual details.

1. The Academic Dean shall read the complaint, and if it warrants further investigation, then a copy of the complaint should be forwarded to the person against whom the complaint is made (“respondent”). If the allegations would not constitute a violation of a policy, then the dean should inform the grievant in writing that the allegations are not subject to further investigation.
2. The respondent shall be given 14 calendar days from receipt of the complaint to return a written response to the dean, who then shall initiate a reasonable investigation into the matter. The investigation may include meeting with the parties, talking with witnesses, and reviewing any supporting documents. A grievant may elect to withdraw a formal complaint at any time; however, the university reserves the right to investigate all complaints in order to protect the interests of the University and its community.
3. Within a reasonable time, the Academic Dean shall make a decision based on the formal complaint, response, and any other relevant information. This decision shall be in writing and shall consist of factual findings, conclusions, and a remedy if one is appropriate. All parties shall receive a copy of the decision.
4. Any party may submit a written request for appeal of the decision to the President of the University within 14 calendar days from receipt of the decision. The request for appeal must specifically set forth all grounds for appeal. The non-appealing party must be given the opportunity to respond in writing to the request for appeal. Within a reasonable time, the president shall make a decision based on the complaint, response, decision, request for appeal, any response to the appeal, and any meeting the president held in regard to the appeal. The decision of the president shall be final. All parties shall receive a copy of the president's decision.
5. All written decisions made and materials produced in a grievance conducted under this procedure shall be retained by the Academic Dean for at least two years from the date that the final decision was issued.

6. If the student is not satisfied with the President's final decision, the student may then appeal to BPPE by contacting them at the address:

**Bureau for Private Postsecondary Education (BPPE)**

1747 North Market, Suite 225 Sacramento, CA 95834

Phone: (916) 574-8900/ Fax: (916) 263-1897

<https://www.bppe.ca.gov/enforcement/complaint.shtml>

Please note that BPPE regulations require that the University's internal grievance policies must be followed completely before a student complaint will be considered.

**Transnational Association of Christian Colleges and Schools (TRACS)**

15935 Forest Rd., Forest, VA 24551

A student may also contact TRACS Accrediting Agency by completing the TRACS Complaint Form found at [https://tracs.org/documents/3.TRACSComplaintForm-AgainstInstitution\\_000.pdf](https://tracs.org/documents/3.TRACSComplaintForm-AgainstInstitution_000.pdf) and submitting it to the President of the TRACS.

For students who are from Maryland state, the institution is subject to investigation of complaints by the Office of the Attorney General or the Maryland Higher Education Commission. Complaints should be directed to:

**Maryland Attorney General  
Consumer Protection Division**

200 St. Paul St.

Baltimore, MD 21202

410-528-8662/888/743/0823 (toll free)

**Education Article, § 11-202.2©5, Annotated Code of Maryland**

List of 7 Registered Programs are registered with the Maryland Higher Education Commission. The complaint process for students who are enrolled in these programs and reside in Maryland is as follows: (1) Difficulties with program structures, schedules, or other issues should first be discussed informally with the student's advisor or program director. (2) If unresolved, they should then be communicated in writing to the student's program director with copies to the department chair and the associate dean for academic affairs. (3) Written responses documenting the complaint and its resolution will be shared with the student within 30 days, and records will be maintained by the associate dean for academic affairs who will also create an annual summary of these formal complaints and the responses to them. Bank Street is subject to investigation of complaints by the Office of the Attorney General or the Maryland Higher Education Commission. Maryland Attorney General, Consumer Protection Division, 200 St. Paul St., Baltimore, MD 21202, 410-528-8662 or 888-743-0823.

### List of registered programs

<b>Daybreak University</b>	
<b>List of 17 Registered Programs</b>	<b>Award</b>
M.A. in Counseling	<b>M.A</b>
M.A. in Counseling with a Specialization in Marriage and Family Therapy (MFT)	<b>M.A</b>
M.A. in Counseling with a Specialization in Imago Relationship Therapy (IRT)	<b>M.A.</b>
M.A. in Counseling with a Specialization in Human Sexuality and Sex Therapy (HST)	<b>M.A.</b>
Ph.D. in Counseling with a Specialization in Marriage and Family Therapy (MFT)	<b>Ph.D.</b>
Ph.D. in Counseling with a Specialization in Imago Relationship Therapy (IRT)	<b>Ph.D.</b>
Ph.D. in Counseling with a Specialization in Human Sexuality and Sex Therapy (HST)	<b>Ph.D.</b>
Post-Master in Counseling with a Specialization in Marriage and Family Therapy (MFT)	<b>Certificate</b>
Post-Master in Counseling with a Specialization in Inner Child Therapy (ICT)	<b>Certificate</b>
Post-Master in Counseling with a Specialization in Imago Relationship Therapy (IRT)	<b>Certificate</b>
Post-Master in Counseling with a Specialization in Human Sexuality and Sex Therapy (HST)	<b>Certificate</b>
Post-Doctoral with a Specialization in Marriage and Family Therapy (MFT)	<b>Certificate</b>
Post-Doctoral with a Specialization in Inner Child Therapy (ICT)	<b>Certificate</b>
Post-Doctoral with a Specialization in Imago Relationship Therapy (IRT)	<b>Certificate</b>
Post-Doctoral with a Specialization in Human Sexuality and Sex Therapy (HST)	<b>Certificate</b>
Post-Doctoral with a Specialization in Marriage and Family Therapy Supervisor Track	<b>Certificate</b>

Daybreak University is in compliance with the requirements of the Education Article, Title 11, Subtitle 2, Annotated Code of Maryland and COMAR 13B.05.01. The Institution is now registered with the Commission to enroll Maryland students in the fully online distance education programs listed. The Commission's registration of the Institution's fully online programs is not an authorization of the institution to operate in Maryland or an approval or endorsement of the Institution's programs.

As a condition of registration, the Institution must:

- Maintain accreditation by and in good standing with an accrediting body recognized and approved by the United States Department of Education (USDOE) pursuant to COMAR 13B.05.01.06;
- Promptly notify the Commission of any changes in institutional operations, and comply with field placement reporting requirements, as outlined in COMAR 13.05.01.11; Comply with the principles of good practice for distance education in COMAR 13B.02.03;
- Make refunds to Maryland students as required by COMAR 13B.05.01.10; and

## **Student Complaint Procedure for New Jersey State**

In accordance with the regulations outlined in the New Jersey State Consumer Protection laws, students enrolled in registered programs in New Jersey have the right to file complaints regarding difficulties with program structure, schedules, practicum or supervisor or any other related issues can follow the appropriate procedure.

New Jersey residents who are filing a complaint regarding an out-of-state institution that is *not* operating under **SARA**, can file a complaint with the New Jersey Office of the Attorney General, Division of Consumer Affairs.

However, before filing a complaint, it is recommended that you first try to resolve the complaint directly with the administration of the college or university involved. The Office of the Secretary of Higher Education (OSHE) will not review a complaint until all grievance procedures at the institution have been followed, all avenues of appeal exhausted, and documentation provided that such procedures have been exhausted .

The complaint process is as follows:

**(1) Informal Discussion:** Students encountering difficulties with program structures, schedules, practicum, supervision within your academic program or any other issues are encouraged to first engage in an informal discussion with their assigned advisor or Clinical Director. This step aims to resolve the matter promptly and informally.

**(2) Written Communication to Program Director:** If the issues remain unresolved after the informal discussion, the student should submit a formal, written complaint to their program director. Copies of the complaint should be sent to the department chair and the associate dean for academic affairs for their awareness.

**(3) Response and Documentation:** The program director, department chair, and associate dean for academic affairs will review the written complaint. A written response, documenting the complaint and its resolution, will be provided to the student within 30 days of receiving the complaint. The associate dean for academic affairs will maintain records of all formal complaints and their resolutions. An annual summary of these complaints and responses will be created by the associate dean for academic affairs.

**(4) Office of the Attorney General and New Jersey Higher Education Commission Division of Consumer Affairs:** If a resolution is not achieved through the internal complaint process, students have the right to file a complaint with the New Jersey Office of the Attorney General or the New Jersey Higher Education Commission. Both offices are authorized to investigate and address complaints filed by students.

**(5) State Licensing Board:** If your concerns involve violations of professional ethical standards or licensing regulations, you may also contact the New Jersey State Board of Marriage and Family Therapy Examiners.

**Office of the Secretary of Higher Education (OSHE)**

P.O. Box 542 Trenton, NJ 08625-0542 United States

**New Jersey Office of the Attorney General Division of Consumer Affairs**

124 Halsey Street, 6th Floor Newark, NJ 07102

**New Jersey Higher Education Student Assistance Authority (HESAA)**

P.O. Box 540 Trenton, NJ 08625-0540 United States

**New Jersey State Board of Marriage and Family Therapy Examiners**

P.O. Box 45007 Newark, NJ 07101 Phone: (973) 504-6415

**Texas State Regulations and Complaints Procedures**

**Tex. Educ. Code. §132.202**, which states:

A school or educational institution described by **Section 132.001(1)(B)** shall post a conspicuous notice on the home page of its website stating:

1. that the career school or college is not regulated in Texas under this chapter.
2. the name of any regulatory agencies that approve and regulate the school's programs in the state where the school is physically located and in which it has legal authorization to operate; and
3. how to file complaints or make other contact with applicable regulatory agencies.

**Tex. Educ. Code §132.001** (1)(A) defines a career school or college as,

any business enterprise operated for a profit or on a nonprofit basis that maintains a physical place of business within this state or solicits business within this state, that is not specifically exempted by this chapter, and:

- (i) that offers or maintains a course or courses of instruction or study; or
- (ii) at which place of business such a course or courses of instruction or study are available through classroom instruction or by distance education, or both, to a person for the purpose of training or preparing the person for a field of endeavor in a business, trade, technical, or industrial occupation, or for avocational or personal improvement.

If a school or education institution meets all four (4) criteria provided for in [Tex. Educ. Code §132.001\(1\)\(B\)](#), and notifies TWC of such, then they may be excluded from the definition. The four criteria are:

- i. is physically located in another state;
- ii. is legally authorized by the state of its physical location to offer postsecondary education and award degrees;
- iii. is accredited by a regional or national accrediting organization recognized by the United States secretary of education under [the Higher Education Act of 1965 \(20 U.S.C. Section 1001 et seq.\)](#); **and**
- iv. offers in this state only postsecondary distance or correspondence programs of instruction.

For the purposes of (iv) above, we don't view clinicals or externships as a form of physical presence or a qualifier of meeting the definition of a "career school or college", as defined in [Tex. Educ. Code § 132.001\(1\)\(A\)](#). We consider a clinical or externship component in Texas as having the same value of offering in this state only postsecondary distance or correspondence program of instruction as subsection (iv) indicates.

1. Daybreak University is a non-profit university approved to operate by the California Bureau for Private Postsecondary Education located in Anaheim, California. Daybreak University exclusively operates within the state of California in the United States.
2. Eligibility for Licensure as Licensed Marriage and Family Therapist (LMFT)

The Board of Behavioral Sciences (BBS) has determined that Daybreak University's MA and Ph.D. in Counseling programs with a Specialization in Marriage and Family Therapy (MFT) meet the statutory requirements for Licensed Marriage and Family Therapist in California. Click [here](#) to find Daybreak University listed on the BBS website as an MFT program which meets the MFT licensure requirements, pursuant to California Business and Professions Code (BPC) §4980.36.

3. Daybreak University is a member of the Transnational Association of Christian Colleges and Schools (TRACS) [15935 Forest Road, Forest, VA 24551; Telephone: (434) 525-9539; e-mail: info@tracs.org], having been awarded Accredited Status as a Category IV institution by the TRACS Accreditation Commission on October 27, 2020. This status is effective for a period of up to five years. TRACS is recognized by the United States Department of Education (ED), the Council for Higher Education Accreditation (CHEA), and the International Network for Quality Assurance Agencies in Higher Education (INQAAHE). [TRACS Verification of Accreditation](#)
4. Daybreak University offers postsecondary distance education to Texas Residents via online asynchronous or synchronous courses. Also offers clinicals or externships training, which is viewed as non-physical presence or a qualifier of meeting the definition of a “career school or college”, as defined in [Tex. Educ. Code § 132.001\(1\)\(A\)](#).

### **How to File a Complaint**

Most consumers receive a quality education and have a generally positive experience from attending an approved private postsecondary educational institution. However, in the event a consumer believes an institution's administrative processes or educational programs are compromised and are not up to the required minimum standards, the consumer should notify the Bureau. Consumers should also notify the Bureau if a consumer suspects that an institution is operating without Bureau approval. Consumers may file a complaint by using the Bureau's [online complaint submission link, here](#) (preferred) or by downloading the [complaint form](#) and mailing it to the address below.

#### **Bureau for Private Postsecondary Education**

P.O. Box 980818

West Sacramento, CA 95798-0818

#### WHO MAY FILE A COMPLAINT

Anyone may file a complaint if they believe an institution has violated the laws and/or regulations governing the institution's operation, including unlicensed activity. Complaints are most often received from students, their families, other members of the private postsecondary education industry, law enforcement agencies, and other regulatory agencies.

If you have questions or need assistance with filing a complaint please email, [bppe.enforcement@dca.ca.gov](mailto:bppe.enforcement@dca.ca.gov) or call (888) 370-7589, press 3 when prompted.

A member may also contact TRACS Accrediting Agency by completing the TRACS Complaint

Form found on [https://tracs.org/documents/3.TRACSComplaintForm-AgainstInstitution\\_000.pdf](https://tracs.org/documents/3.TRACSComplaintForm-AgainstInstitution_000.pdf) and submitting it to the President of the TRACS.

#### **Transnational Association of Christian Colleges and Schools (TRACS)**

15935 Forest Rd., Forest, VA 24551

## How to File a Complaint in Texas

Before filing a complaint concerning a Texas higher education institution, please read and follow the steps below. Only properly filed forms that comply with the steps will be considered for further review.

### 1. Determine which agency can best address your concern(s).

The role of the Texas Higher Education Coordinating Board (THECB) is to represent the state of Texas and regulate compliance with the laws that fall under the THECB's authority. The THECB cannot offer legal advice to complainants and does not act as a student's agent, representative, or attorney. Any information the THECB's staff provides is not and should not be interpreted as legal advice or representation.

The authority of Texas Higher Education Coordinating Board is limited to that expressly granted by law and stipulated in the THECB rules. For example, a student's eligibility for financial aid is determined by the student's institution and the THECB generally does not have the authority to override the school's determination.

Student complaints reporting violations to applicable statutes under Texas Education Code Chapters 54 and 61 and THECB rules under Title 19, Texas Administrative Code, Part 1 may be investigated by THECB.

### ***Non-Exhaustive List of Student Complaints Not Reviewed by the THECB***

- Anonymous Complaints
- Matters that are or have been in litigation.
- Complaints about criminal matters
- Matters solely concerning grades, examination results, or evaluation of academic performance.
- Matters solely related to student life such as housing, dining facilities, food service, code of conduct, or student activities and organizations.
- Complaints about religious institutions relating solely to their religious (as opposed to secular) standards and religious programs of study.
- Complaints concerning actions that occurred more than two years prior to filing a student complaint form with the THECB, unless the cause of the delay was the complainant's exhaustion of the institution's grievance procedures.
- Complaints by former students more than one year after the student's last date of attendance at the institution and more than 6 months after discovering the grounds for the complaint, unless the cause of the delay was the complainant's exhaustion of the institution's grievance procedures.

More information can be found at [Texas Administrative Code, Title 19, Section 1.113](#).

***Certain types of complaints are handled by other authorities listed below.***

[Texas Workforce Commission's Career School Section](#) – Addresses complaints concerning a non-degree granting career school's policies, procedures, or programs, or concerning a career college's policies, procedures or non-degree programs.

[Texas Department of Licensing and Regulation](#) – Addresses complaints concerning programs designed to facilitate receipt of a State of Texas license or other educational programs overseen by the agency (e.g., cosmetology, electrician programs).



[U.S. Department of Education Office for Civil Rights](#) – Enforces “federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability and age in programs or activities that receive federal financial assistance from the Department of Education.”

If your complaint pertains to Title IX, you can also file a complaint with the school’s Title IX coordinator whose information can be found on your institution’s website.

[U.S. Department of Education Office of the Inspector General](#) – Investigates fraud, waste, or abuse of federal student aid funds.

[U.S. Department of Education Federal Student Aid’s Ombudsman](#) – Helps resolve issues regarding federal student loans.

[Consumer Protection Division of the Office of the Attorney General](#) – Investigates complaints concerning violations of state consumer protection laws, such as laws related to fraud or false advertising.

## 2. Complete the institution's student complaint or grievance process.

If you’ve determined that the THECB is the appropriate agency, the next step for current, former, or prospective students who would like to file a formal complaint regarding a Texas higher education institution is to complete all of the institution’s student complaint or grievance procedures as required by [Texas Administrative Code, Title 19, Section 1.116\(b\)](#). **To submit a complaint to the THECB, students are required to provide written evidence of his or her completion/exhaustion of the institution’s student complaint process. This includes all institutional appeals.**

An institution’s student complaint or grievance procedures are typically available in the academic catalog or student handbook on the institution’s website.

## 3. Collect the required documentation.

You will be required to upload the following to file a complaint with the THECB.

- Fully completed and signed THECB Student Complaint and Authorization Form [PDF] (Complaints from students with disabilities must also include an [Authorization to Disclose Medical Record Information Form \[PDF\]](#) if the complaint in any way involves alleged discriminatory treatment as a result of the disabilities.);
- Documentation of the student’s completion of the institution’s complaint or grievance procedures, including the ultimate outcome of the procedures.
- Evidence to support the complaint, such as copies of correspondence, enrollment agreements, course catalog information, and any other information believed to be relevant to the matter of the complaint.

## 4. Submit the completed online Student Complaint Form and Documentation.

The required documentation may be submitted to the THECB in one of the following ways:

- **Complete the online student complaint form and upload the required supporting documentation in PDF format.** To access the online student complaint form, click [here](#).

- If you are unable to submit the online Student Complaint and Release Form, click [here](#) for a fillable PDF, please print a paper copy to submit by mail. Complaints sent to the THECB by mail take more time to process than those submitted using this online form. Completed forms and required documentation\* may be mailed to:

**Texas Higher Education Coordinating Board**  
**Office of General Counsel**  
P.O. Box 12788  
Austin, Texas 78711-2788

\*Faxed forms are not accepted.

\*Documents received by the THECB cannot be returned, so original documents should not be submitted. Students are encouraged to retain a copy of their complaint and all documents submitted.

5. THECB will thoroughly review the completed complaint form and documentation when received.

Once the THECB receives the required student complaint documentation, the agency may investigate or refer the complainant to other agencies or entities:

- The THECB may refer to complaints alleging that an institution has violated state consumer protection laws to the Consumer Protection Division of the Office of the Attorney General of Texas for investigation and resolution.
- The THECB may refer complaints pertaining to a component institution in a university system to the appropriate university system for investigation and resolution (e.g., complaints pertaining to an institution in the University of Texas System, Texas A&M University System, University of Houston System, University of North Texas System, Texas Tech University System, or Texas State University System).
- The THECB may refer the complaint to the accrediting agency or educational association, such as ICUT (Independent Colleges & Universities of Texas, Inc.), if the THECB determines that a complaint is appropriate for investigation and resolution by the institution's accrediting agency or an educational association. The THECB has the right to adopt any decision made by the accrediting agency or educational association and may terminate the referral of the complaint to those entities at any time and proceed to investigate and adjudicate the complaint.
- If a student complaint concerns compliance with the statutes and regulations the THECB administers, and the complaint will not be referred to another entity, the THECB will initiate an investigation if:
  - The student has completed the grievance/complaint procedures at the institution and
  - The student has provided documentation to the THECB of such exhaustion.
- As part of its investigation, the THECB will request a response from the institution and may also contact other persons or entities named in the student's complaint or in the institution's response, to ascertain all relevant facts. During its investigation, the THECB will, in appropriate cases, attempt to facilitate an informal resolution to the

complaint that is mutually satisfactory to the student and institution. In cases in which an informal resolution between the student and the institution is not feasible, the THECB will evaluate the results of the investigation of the student complaint and recommend a course of action to the Commissioner of Higher Education. After receiving staff's recommendation, the commissioner will consider the recommendation regarding the complaint and render a written determination either dismissing the complaint or requiring the institution to take specific actions to remedy the complaint. The commissioner may also request the Board of the THECB to review and decide issues that regard institutional integrity.

Rules for the THECB's Student Complaint Procedure can be found under [Texas Administrative Code, Sections 1.110 – 1.120](#).