



STUDENT CONSUMER PROTECTION

Policy Change Approved on First Reading

The Higher Learning Commission's (HLC's) Board of Trustees approved this policy on first reading at its meeting on June 29–30, 2017.

Background

In recent years, there has been an increased focus at the state and federal levels on protecting students from aggressive or unfair marketing and recruiting practices at institutions. HLC's Assumed Practices contain several policies intended to ensure that students receive accurate and complete information from institutions, but they were not designed as a specific mechanism for consumer protection. The proposed policies are specifically intended to set a policy expectation for appropriate and honest interactions between institutions and prospective students.

Comments Invited

HLC invites comments on this change before the Board takes final action at its meeting on November 2–3, 2017. Comments can be sent to policycomments@hlcommission.org. Comments are due by September 23, 2017. HLC will review any comments provided by member institutions and will incorporate any changes into the revised policy to be presented to the Board for its November 2017 meeting. If the Board adopts the policies on second reading in the fall, they will be effective one year later, in December 2018.

Proposed Change

As this is a new policy there are no changes to track.

Policy Title: Student Consumer Protection: Policies on Recruiting, Admissions and Related Institutional Practices

Number: To Be Determined (See policy number key note)

1. The institution treats students ethically, respectfully and professionally in the marketing, recruiting and admissions process so that students can make an informed enrollment decision without being subjected to high-pressure tactics from the institution or a related contractor.
2. All institutional recruiters and admissions personnel have appropriate education, job titles, and training from the institution for their role and are overseen by the institution, which enforces a formal code of conduct for all such personnel; the institution also oversees any third-party contractors who provide recruiting and admissions services and assures that any personnel who work with their prospective students have similar education, experience and training as personnel employed by the institution and follow a similar code of conduct.
3. Information provided to prospective students in the recruiting and admissions process is accurate, complete and up-to-date and is provided to all prospective students without any requirement that such students provide contact information to receive basic information about the institution. The institution also makes its policies related to consumer protection accessible and transparent.
4. The institution also promptly honors any request from such student to remove that student's name from phone, e-mail or other contact lists; student information collected through the admissions, recruiting or lead process will not be shared or sold to any other entity without the student's explicit consent.
5. Any job placement, salary information, or other student outcome data publicized as part of the recruiting process are based on all students in a cohort or class who completed the program; completing students are not excluded from the published data because they did not utilize the institution's career, advising or other services; an institution will maintain back-up documentation related to any such publicized outcome data and will make that back-up data available to HLC, the public or governmental agency upon request. If an institution publicizes for recruiting purposes outcome data based on student survey or other partial information about a cohort or class of students, it will indicate clearly wherever it publicizes the rate the number of students in the cohort or class and the number of students whose outcome data is included.

6. Institutional recruiters, admissions officers or appropriate third parties may answer questions about the student application process for admissions and financial aid, but in no case will such personnel complete these applications or apply the signature of the prospective student.
7. Any enrollment agreement with the student will be limited to basic information about a student's course of study, tuition and fees, and other related information and in no case will that agreement include any language: 1) limiting that student's ability to file a complaint with an accrediting or state agency; 2) requiring the student to agree to pre-dispute resolution processes; or 3) limiting the student's ability to take legal action or to seek to discharge a student loan through remedies available to borrowers under state or federal law. Students will be provided sufficient time (at least 15 days) to review any enrollment agreement and to consult with others as a part of that review process before being required to sign the document or lose an offer of admission and related financial assistance.
8. Students will have the right and responsibility to register for each academic term in which they are enrolled, and in no case will the institution automatically register a student in the next term without that student's affirmative consent to such registration or the opportunity for the student to cancel that registration before the student is assessed tuition or fees for that term.
9. Prior to enrolling a prospective student in a program or major the institution should ensure that the student has had sufficient time to review the institution's policies and procedures, to understand the amount of federal, state and institutional financial aid the student will likely receive, and to learn how many credits, if any, will transfer and whether they will be applied to requirements of the major or general education or the process and timeline for evaluation of those credits; in no case will the institution use high pressure tactics to get a student to enroll or matriculate before it provides this basic information.
10. The institution shall not induce or pressure a student to enroll by a specific deadline with the promise of cash or free goods or services outside of the regular process of scholarship monies, institutional discounting, fee waivers, financial aid or other assistance; an institution shall not promise that employment is being directly or indirectly offered or is more likely related to its education or provide any guarantees of employment related to that education.
11. In addition to a policy related to return of Title IV funds, the institution has a refund policy to assure that students receive a refund where appropriate if they withdraw from an academic term or from an institution.

HLC may look into an allegation of a violation of the student consumer protection policies during an evaluation visit, through the complaint process, or through any other appropriate mechanism. An institution that has engaged in violations of HLC policy on student consumer protection, as outlined in this policy, shall be considered to be in violation of Commission standards related to institutional integrity and may be found to be in violation of other Commission standards as well, and may also be subject to Commission sanctions or withdrawal of accreditation as outlined in those policies.

Policy Number Key

The policy number will be identified on Second Reading. The adoption of these policies may require related changes to the Assumed Practices to address any duplication.

Last Revised:

First Adopted:

Revision History:

Notes: