

Recruiting, Admissions and Related Enrollment Practices

Policy Change Adopted on Second Reading

The Higher Learning Commission (HLC) Board of Trustees (“the Board”) adopted this policy on second reading at its meeting on February 23–24, 2023.

Background

In July 2022, the U.S. Department of Education published a Notice of Proposed Rulemaking (NPRM) signaling an effort to amplify federal regulations to define aggressive and deceptive recruitment tactics that might constitute an additional basis for future Borrowers’ defense claims. This development, along with the anticipated publication of the Department’s final rule on November 1, 2022, was a catalyst for the following changes to HLC’s Recruiting, Admissions and Related Institutional Practices policy. The revisions clarify HLC’s expectations in this area and specify that the policy applies to all aspects of an institution’s enrollment process, including financial aid. The change also relocates the policy to the federal compliance section of HLC’s Policy Book to align with current implementation mechanisms.

HLC circulated these policy changes to the membership and other interested parties after the Board’s November 2022 meeting. External comments were received regarding the policy and staff made minor clarifications in response to these comments.

Implementation

This policy is effective immediately.

Adopted Policy Change

Wording that was deleted or revised is shown as strikethrough (~~old wording~~); new language, whether through addition or revision, is shown in bold (**new wording**). Wording that was moved is shown with a double underline in its new location (moved to) and a double strikethrough in its previous location (~~~~moved from~~~~). Changes between first and second reading, other than minor editing, are indicated in italics (*new wording*, ~~*old wording*~~). These revisions have been made on HLC’s website at hlcommission.org/policies.

- ~~3.~~ **4.** The institution also makes its policies related to consumer protection accessible and transparent. Information provided to prospective students in the recruiting and admissions process **during any aspect of the enrollment process** is accurate, complete and up-to-date and is provided to all prospective students without any requirement that such students provide **their** contact information to receive basic information about the institution. ~~The institution also makes its policies related to consumer protection accessible and transparent.~~
- ~~4.~~ **5.** The institution ~~also~~ promptly honors any request from ~~such a~~ student to remove that student's name from phone, email or other contact lists; ~~s~~Student information collected through ~~the admissions, recruiting or lead process will be~~ **any aspect of the institution's enrollment processes is maintained and protected** as outlined in the institution's data privacy policy, which must be prominently posted on the institution's website.
- ~~5.~~ **6.** **The institution complies with HLC expectations related to the publication of student achievement data as outlined elsewhere in HLC policy.** 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; if job placement or other related data are drawn from an external database, economic forecasting or other source, the institution will indicate in conjunction with the publication of the data its source and will direct students to the original source of the information where applicable (e.g., Department of Labor website).
- ~~6.~~ **7.** Institutional recruiters, admissions officers, **financial aid officers** or appropriate third parties **engaged in similar roles on the institution's behalf** may answer questions about the student application process for admissions and financial aid, but in no case will such personnel complete these applications **for students without student permission** or apply the signature of ~~the prospective a~~ student **to an application**.
- ~~7.~~ **8.** If an institution requires a student to sign an enrollment agreement, the enrollment agreement ~~will be~~ **is** 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~~ **Any enrollment**

agreement shall not include language limiting ~~that a~~ student's ability to: (1) file a complaint with an accreditor or state agency; (2) take legal action in the event that any dispute resolution processes agreed to by the institution and the student are unsuccessful in resolving the dispute to the satisfaction of the parties; or (3) seek to discharge a student loan through remedies available to borrowers under state or federal law. Students ~~will be~~ **are** provided sufficient time, as determined by the situation and any mandates in state law, 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.~~ **9.** Students ~~will~~ have the right and responsibility to register for each academic term in which they are **eligible to** enrolled, ~~and in no case will~~ **The institution does not** automatically register any 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.~~ **10.** Prior to enrolling a ~~prospective~~ student in a program or major, the institution ~~should~~ **ensures** 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 is eligible to receive; ~~and~~ to learn how many credits **previously earned**, if any, will transfer and whether ~~they~~ **those transferred credits** will be applied to requirements of the major or general education or the process; and **to understand the** 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.~~ **11.** 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 **or institution-branded gifts of nominal value**; ~~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.~~ **12.** 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 **according to policies set forth by the institution.**
- 13. The institution does not otherwise engage in aggressive or deceptive recruitment tactics or conduct, such as may be defined and prohibited by federal regulations.**

This prohibition includes, but is not limited to, the following institutional acts or omissions:

- a. Obtaining students' contact information through websites that falsely claim to provide assistance with finding employment or obtaining government benefits;**
- b. Discouraging students from consulting with parties unrelated to the institution prior to finalizing their decisions or commitments;**
- c. Failing to timely respond to students' requests for additional substantive information related to enrollment or loan obligations.**

14. The institution shall not use threatening, abusive, or manipulative language to influence a student's decision.

~~*Institutions are regularly expected to submit documentation related to aspects of this policy as part of HLC's Federal Compliance requirements, as otherwise detailed in HLC's policies and procedures.*~~

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

Policy Number Key

Section ~~CRRT: Criteria and Requirements~~ **FDCR: Policies Required by Federal Regulation**

Chapter ~~C: Student Protection~~ **A: Federal Compliance**

Part ~~10: General~~ **20: Fraud and Abuse**

Last Revised: February 2023

First Adopted: November 2017

Revision History: Adopted November 2017, effective September 2019; revised February 2022, February 2023

Notes: In February 2021, references to the Higher Learning Commission as “the Commission” were replaced with the term “HLC.” **Policy renumbered in February 2023 (former policy number CRRT.C.10.010).**

Related Policy: FDCR.A.10.070 Public Information