

Institutional Disclosures Required by State Authorization of Distance Education Final Regulations

An institution that offers an educational program through distance education or correspondence courses, excluding internships and practicums, must make available to enrolled and prospective students the following disclosures (subject to discretion of the Secretary in form and content):

Public Disclosures

- Whether the institution is authorized by each State in which enrolled students reside;
- Whether the institution is authorized through a State authorization reciprocity agreement;
- An explanation of the consequences, including ineligibility for Title IV funds, for a student who changes his or her State of residence to a State where the institution does not meet State requirements or, in the case of a Gainful Employment program, where the program does not meet licensure or certification requirements in the State;
- For all distance programs, a description of the process for submitting consumer complaints in each State in which the program's enrolled students reside, including contact information for receipt of consumer complaints at the appropriate State authorities;
- Any adverse actions a State entity or an accrediting agency has initiated, and the years in which such actions were initiated, related to postsecondary programs offered solely through distance education or correspondence courses at the institution for the five calendar years prior to the year in which the disclosure is made;
- Refund policies with which the institution is required to comply by any State in which enrolled students reside for the return of unearned tuition and fees;
- The applicable educational prerequisites for professional licensure or certification for the occupation for which the program prepares students to enter in:
 - each State in which the program's enrolled students reside, any other State for which the institution has made a determination regarding such prerequisites
 - If the institution makes a determination with respect to certification or licensure prerequisites in a State, whether the program does or does not satisfy the applicable educational prerequisites for professional licensure or certification in that State; and
 - For any State as to which the institution has not made a determination with respect to the licensure or certification prerequisites, a statement to that effect.

Individualized Disclosures

- Prior to each prospective student's enrollment, any determination by the institution that the program does not meet licensure or certification prerequisites in the State of the student's residence;
- To each enrolled and prospective student:
 - Any adverse action initiated by a State or an accrediting agency related to postsecondary education programs offered by the institution solely through distance education or correspondence study within 30 days of the institution's becoming aware of such action;
 - Any determination by the institution that the program ceases to meet licensure or certification prerequisites of a State within 14 calendar days of that determination.
- For a prospective student who received a disclosure who subsequently enrolls in the program, the institution must receive acknowledgment from that student that the student received the disclosure and be able to demonstrate that it received the student's acknowledgment.