

# **PURSUANT TO THE HIGHER EDUCATION ACT, AN INSTITUTION AND ITS ASSOCIATED PROGRAMS, MUST DISCLOSE**

## **THE NATURE OF EDUCATIONAL PROGRAMS, THIS INCLUDES**

The nature and extent of its institutional, programmatic, or specialized accreditation (including the current status of pending accreditation reviews)

Whether completion will qualify the student to take an exam for a federal or state license or certification, or to perform certain state or federal functions (as specifically identified per each state)

Whether the degree or credentials that will be conferred has been authorized by the appropriate State educational agency

Whether the program will continue to achieve the stated program goals and objectives for the entire length of the accreditation period (including whether accreditation will expire)

Whether the distance education program is authorized in the state in which the institution enrolls (or seeks to enroll) its students

Any information and policies regarding the transfer of credits, both from and to other institutions

All information related to financial assistance, tuition, fees and refunds

**“Misrepresentation” does not require intent: “A misleading statement includes any statement that has the likelihood or tendency to deceive.” 34 CFR 668.71(c).**

**Federal misrepresentation rules require institutions to be truthful and accurate regarding institutional information, program information, admissions, financial aid, etc.**

**This handout outlines information that is required to be presented in a truthful manner to students and the public.**

### **Legal Ramifications**

- **Civil penalties up to \$25,000**
- **Ineligibility for Title IV student financial assistance**
- **Nondisclosure may amount to a breach of contract by the institution, enabling a student to assert a defense to repayment of student loans**

**If the student prevails, the institution may be liable to the U.S. Department of Education for the outstanding debt owed**

- **The institution will be held liable for a substantial misrepresentation by any institutional representative, including those tasked with advertising, promoting, recruiting and admissions**

*For further information as it pertains to UK Distance Learning, please contact:*

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*The lists above are not exhaustive, please visit the references for a complete listing of nondisclosure requirements and legal ramifications.*