

Effective 1/1/2024

13-34-109 Required disclosures.

- (1) Before a postsecondary school may enroll or accept payment from a student, the postsecondary school shall clearly and conspicuously disclose in writing to the student:
 - (a) the postsecondary school's name, address, and location;
 - (b) the requirements or qualifications a student is required to satisfy to enroll in the postsecondary school;
 - (c) a complete description of the services for which the student will pay, including:
 - (i) facilities, faculty, resources, or equipment that the student may use in connection with the services, or to access the services;
 - (ii) the duration of services provided; and
 - (iii) completion or graduation requirements;
 - (d) information regarding how the postsecondary school's services relate to state licensing requirements if the services are intended to prepare a student for licensure;
 - (e) tuition, fees, and any other charge or expense to be paid by the student;
 - (f) a financial assistance policy, if any;
 - (g) the complete terms of any financing agreement, including an income sharing or other agreement, offered to the student;
 - (h) the postsecondary school's cancellation and tuition refund policy that shall include, at a minimum:
 - (i) a three-business-day cooling off period during which a person may rescind the enrollment agreement and receive a refund of all money paid, less a reasonable application fee, that may not end before midnight on the third business day after the latest of:
 - (A) the day on which the person signs the enrollment agreement;
 - (B) the day on which the person pays the postsecondary school for services, other than an application fee;
 - (C) the day on which the person first attends the postsecondary school; or
 - (D) the day on which the person first gains access to the postsecondary school's services; and
 - (ii) a written description of the postsecondary school's refund policy following the cooling period described in Subsection (8)(a);
 - (i)
 - (i) whether the postsecondary school is accredited by an accrediting agency; and
 - (ii) whether the program in which a student intends to enroll is accredited by an accrediting agency, if applicable;
 - (j) the existence and amount of the postsecondary school's surety bond, certificate of deposit, or irrevocable letter of credit;
 - (k) information regarding how to file a complaint against the postsecondary school with the division, the postsecondary school's accrediting agency, and the postsecondary school's approval or licensing entity; and
 - (l) student outcomes specified in rules made by the division under Section 13-34-103.
- (2) A postsecondary school may comply with Subsection (1)(k) by placing a conspicuous link on the postsecondary school's website that connects to:
 - (a) the contact information for each entity described in Subsection (1)(k) with which a person may file a complaint; or
 - (b) a third party's website that states the contact information for each entity described in Subsection (1)(k) with which a person may file a complaint.

Repealed and Re-enacted by Chapter 458, 2023 General Session