

*****Recommended Changes to this rule in red**

Rule 3332-1-04 | Certificate of registration.

(A) A person, corporation, or other entity desiring to operate a career college or school in the state of Ohio, or an out-of-state school that solicits Ohio students, must obtain a certificate of registration from the board.

(1) Application for a certificate of registration or program authorization shall be made to the board on forms furnished by the board.

(2) Each application for issuance and/or renewal of a certificate of registration shall be subject to a non-refundable fee, which is established by the board and which is based on the actual or expected gross annual tuition income of the **approved programs of the** applicant school.

(3) A certificate of registration shall be granted or denied by the board within one hundred twenty days after the school has been notified that the application has been satisfactorily completed, and arrangements are in process for an on-site visit.

(4) The certificate of registration is not transferable. The board shall assign registration numbers to all registered schools. A school shall display or disclose its registration number on all school publications and in all advertisements, including television commercials, bearing the name of the school. The school must prominently display the certificate of registration and hours of school operation where they may be inspected by students and representatives of the board.

(5) A certificate of registration is valid for a maximum of two years unless revoked for cause by the board, and is valid only for the institution and owner or operator for which it was approved.

(6) No new school may advertise, solicit students, or collect fees until a certificate of registration has been granted to it, nor may it advertise, solicit students, or collect fees for any program prior to the date of issuance of the certificate of registration and the appropriate program authorization.

(B) The board does not recognize branch campuses. Each location must submit a completed application for a certificate of registration. Each school or location is obligated to meet all the standards, rules, and regulations as set forth by the board. Schools that operate classes in multiple contiguous buildings may be treated as a single school campus at the discretion of the board.

(C) The board may issue certificates of registration to schools operating learning centers in accordance with rule [3332-1-26](#) of the Administrative Code.

*****Recommended Changes to this rule in red**

Rule 3332-1-06 | Distance education programs.

(A) "Distance education" is a formal education process in which the orderly delivery of instruction occurs beyond a school's walls since the student and instructor are in different locations. Distance education may employ a variety of communication methods for delivering instruction to students.

(B) "Distance education program" is a program of study where more than fifty per cent of the program content is offered via distance education. A distance education program shall have a defined start and end date and shall be properly divided into academic terms in accordance with rule [3332-1-10](#) of the Administrative Code.

(C) "Distance education course" is an individual course offered via distance education that is part of either a distance education program or any other program approved by the board. Schools may offer individual courses from a board approved program via distance education. It is incumbent upon the school to demonstrate that any course offered via distance education meets the objectives set forth within the course curriculum and meets the requirements of this rule.

(D) "Synchronous" means courses where all students are required to participate at the same time with an instructor; however, the students and the instructor are in separate locations. These courses may be delivered by video conferencing, web conferencing, audio conferencing, etc. and the courses are generally considered equivalent to classroom instruction.

(E) "Asynchronous" means courses where students are not required to participate in any distance education teaching and learning activities live/in real time with an instructor, but instead engage in such activities based upon teaching materials and assignments compiled and made available by an instructor.

(F) "Hybrid" means courses or programs in which some portion of on-campus instruction is replaced by distance education teaching and learning activities or courses or programs where students have the option to take online or in the classroom.

(G) "Blended" means courses or programs that consist of both asynchronous and synchronous instruction.

(H) "Flexible learning" means a delivery method in which each course module is available in both synchronous and asynchronous delivery methods. This method allows the learner to choose which of the delivery methods they want to use for each course module while fully completing all course modules as verified by the course provider.

(I) "Online program manager" means an entity that is not an institution of higher education as defined under "The Higher Education Act of 1965," 20 U.S.C. 1001 that enters into an agreement with a career college or school to provide marketing and recruitment services and at least one additional service, including course design, technology, or faculty training, to support an accredited online degree program.

(J) "Outside Service Provider" means an entity that is not an approved career college or school that enters into an agreement with a career college or school to support an online program by providing marketing and recruitment services or other academic services, including course design, technology, or faculty training.

(J) The board recognizes that requirements for facilities, equipment, and methods of instruction for distance education programs and courses are different from those of **resident on-campus** programs. Nevertheless, agency 3332 of the Administrative Code shall apply to distance education programs and courses unless specified otherwise.

(J) Distance education programs and courses require special attention to educational objectives, instructional material, faculty training, support services, and methods for timely interaction between faculty and students. Schools seeking to offer any part of a program via distance education shall provide documentation that the program or course adheres to the following minimum standards:

(1) The school shall document the standards and methods that were used to develop a distance education program or course and whether the program or course is subject to review by any independent approval entities.

(2) The educational objective shall be clearly defined for each program or courses, simply stated, and of such a nature that they can be achieved through distance education.

(3) Distance education courses and programs shall be comprehensive, rigorous, up-to-date, and educationally sound. Instructional materials and technology methods must be appropriate to meet the stated objectives of the program or course.

(4) The school shall provide appropriate faculty, faculty training, and support services specifically related to distance education.

(5) The school shall provide for methods of timely and systematic interaction between students and faculty.

(6) The school shall employ an acceptable method for monitoring student academic progress and participation in academic activity.

(7) A school offering synchronous course content shall adopt rules and policies to monitor student attendance and to assure that students are in an appropriate location and learning environment while they are attending the course.

(8) A school offering asynchronous course content shall adopt rules and policies that disclose the methods the school used to calculate the number of clock or credit hours for an asynchronous course or program. A clock hour measured in an asynchronous learning activity shall consist of between 50-60 minutes of learning activities involving academic engagement in which the student interacts with technology that can monitor and document the amount of time that the student participates in the activity.

(9) A school offering hybrid course content shall have policies in place that define the percentage of each course that may be completed online and the specific days that the student is required to be on-site for coursework, labs, or exams.

(10) A school offering blended course content or flexible learning course content must assure that any portion of the course completed asynchronously meets the requirements of this rule related to calculating the number of clock or credit course being offered.

(10) Upon enrollment in a distance education program, the school shall provide placement assistance to students that shall include, at a minimum, accurate information about expected employment opportunities upon completion of the program.

(11) The school shall refund tuition and fees in accordance with rule [3332-1-10](#) of the Administrative Code. For the purpose of calculating refunds, the last date of attendance shall be the last date of documented student participation in an academic activity unless another method for calculating attendance has been approved in writing by the board.

(K) A school may contract with outside service providers or online program managers to provide distance education course content or other training material and the school shall be responsible for assuring that the or online program managers adhere to the standards set forth in agency 3332 of the Administrative Code. Schools that are accredited must also demonstrate that the proposed use of outside service providers or online program managers are in compliance with the school's accreditation standards. Schools shall be subject to disciplinary action in accordance with Chapter 3332. of the Revised Code for any acts or omissions committed by outside service providers or online program managers that violate any provision of agency 3332 of the Administrative Code.

(1) A career college or school that enters into a contract with an online program manager shall post on each online degree program web site it maintains that it utilizes an online program manager for services. The career college or school shall require the online program manager to identify itself when providing services to students.

(2) A career college or school shall not permit an outside service provider or online program manager to control, make decisions regarding, administer, or disburse student financial aid.

(L) In the event of a pandemic emergency or other emergency situation as determined by the board, the executive director may allow schools to temporarily transition onsite programs and courses to distance education delivery methods where appropriate and reasonable and where the school can adequately maintain its adherence to the program or course curriculum and achieve the necessary program learning objectives. Temporary distance education approval is subject to the following conditions:

- (1) Within thirty days after a school has begun offering courses or programs pursuant to being authorized to offer temporary distance education programs the school shall submit to the board a temporary distance education plan that explains the methods and processes the school shall use to offer temporary distance education and how those methods and processes meet the requirements of this rule.
- (2) Temporary approval for distance education delivery shall last for a time period as determined by the board but shall not last for more than one year. Schools seeking to continue offering distance education courses past the expiration of the temporary approval period shall submit for approval of the distance education courses through the normal approval process.
- (3) Schools that offer programs that are approved by accrediting agencies or other regulatory agencies shall also seek the approval of those agencies if required for distance education programs or courses.
- (4) If a school that has been given temporary approval for distance education delivery fails to adequately offer distance education programs and courses that meet the minimum standards of the board, the board retains the authority to immediately terminate the temporary approval.

*****Recommended Changes to this rule in red**

Rule 3332-1-08 | School administration.

(A) All schools shall maintain appropriate student records of tuition fees paid, basis for admission, program enrollment, enrollment and withdrawal dates, student evaluation, and progress toward a degree, diploma or certificate. These student records shall be maintained for a period of five years by the school, its successors or assigns. Academic records (transcript) must be retained permanently. Any changes or alterations to student records must be accurately documented and signed by an appropriate school official.

(B) ~~Records of progress, and conduct Academic transcripts~~ must be made available to the student at their request and at a time convenient to the school. ~~Schools may charge a reasonable fee for the issuance of official academic transcripts. All schools shall periodically issue grade and progress reports to enrolled students.~~ Academic transcripts shall contain the following information:

- (1) Student name;
- (2) Last four digits of SSN or other student identifier such as date of birth;
- (3) Name and address of school;
- (4) Title of program;
- (5) Title of individual courses and number of hours attempted and completed for each course;
- (6) Total hours of instruction completed;
- (7) Dates of enrollment;
- (8) Grade of record for each course and cumulative grade for the program (if applicable);
- (9) Explanation of grading scale (if applicable);
- (10) Credential(s) awarded and graduation date (if applicable).

(C) Schools shall maintain electronic copies of all student transcripts in portable document format (.pdf). The board may require transcripts for withdrawn, graduated, or otherwise fully completed students to be submitted electronically to the board or other designated third-party record management entities at specific intervals or upon request.

(D) Each college or school that holds a certificate of registration under this chapter annually shall certify, on a date and in the form and manner determined by the board, a plan to preserve student records indefinitely if the college or school is to cease operations. The plan shall include the designation and signed confirmation of an official custodian of

student records. The board may also require a college or school to produce an executed agreement with the designated custodian of student records, paid in full, to ensure the college or school's plan can be implemented.

(E) Each school must designate a school director. The school director shall be directly responsible for the operational management of academic affairs, student services, and business and administrative services.

(1) A school may appoint assistants to the school director who shall be charged with responsibility in the absence of the school director.

(2) The school director and other administrators must have educational qualifications and work experience related to their areas of responsibilities.

(3) Schools must notify the board when they change school directors.

(4) All school directors must attend training as required by the board.

(F) Each school shall maintain administrative staff in sufficient numbers and quality to assure:

(1) Understanding of and identification with goals and purposes of the school and its programs.

(2) Continuity and improvement of programs.

(3) Effective operational management through sound business practices.

(4) Adequate facilities and equipment **and/or online systems** to sustain competent instruction.

(5) Adequate individual attention to students including the ability to provide reasonable support to students in academic guidance and placement assistance.

(G) Individuals holding the following positions, or similar positions, in licensed Ohio schools shall complete at least twenty contact hours of continuing education, professional development or professional in-service training related to their positions every two years:

(1) School director;

(2) Chief education/academic officer or director of education;

(3) Placement director;

(4) Admissions director;

(5) Financial aid director;

(6) Full-time faculty member/instructor/**program director**.

(H) A minimum of four contact hours of this continuing education or professional development shall be in courses approved by the board that are related to compliance and ethics.

(I) Each school shall be responsible for maintaining records to support continuing education, professional development, or professional in-service hours that have been completed. Records must be maintained for a period of three years after the date of training and shall be made available to the board for random audit and verification purposes. Records required may include, but are not limited to:

(1) A log showing the type of activity completed. sponsoring organization, location, duration, instructor or speaker's name, and hours earned;

(2) Documents supporting evidence of attendance such as completion certificates or attendance sign-in logs.

(J) Each school shall publish at least biennially a catalog which includes accurate and factual information concerning:

(1) Date of publication.

(2) Name and address of school and certificate of registration number.

(3) A calendar of the school showing legal holidays, beginning and ending date of each term **or course and program schedule**, and other important school dates.

(4) School policy and regulations as to enrollment dates, entrance requirements, program requirements and graduation requirements.

(5) School policy and regulations relative to student leave, absences, tardiness, makeup work, and interruption or termination for unsatisfactory work or attendance. This policy will define the grading system, the minimum grades considered satisfactory, description of any unsatisfactory progress probationary period, and conditions of re-entrance for students dismissed or suspended for unsatisfactory progress.

(6) Description of content of programs, their purposes and objectives, their sequence, and special admissions requirements if other than general. **If the school offers distance education courses, policies related to distance education as referenced in administrative rule 3332-1-06.**

(7) Course descriptions showing the type of skill or content to be learned, together with clock and/or credit hours for the course.

(8) School policy and regulations relative to standards of academic progress for purposes of federal and state financial aid programs.

(9) Schedule of fees, charges for student tuition, student activities, laboratory fees, rentals, deposits, late fees, interest charges, and all other charges imposed by the school.

(10) Policy and regulations of the school relative to the refund of tuition and fees.

(11) Policy pertaining to the granting of credit for previous education, training, or experience.

(12) List of faculty and administrators including related qualifications. (Changes from one catalog period to another should be reflected in an insert)

(13) Institutional scholarship and grant plans, which must be approved by the board.

(14) Initial in-school student grievance procedure and subsequent avenues for student complaints to be brought to the attention of the board. **The** statement must include the telephone number, **email address, web site address, and mailing** address at the board where student complaints are to be directed.

(15) A list of all institutional and programmatic accreditation approvals that the school has received for any of its programs.

(I) Schools that maintain **an internet presence such as a web site or social media page** shall make the catalog and the information listed within this rule publicly available **on the school's web site or social media pages.**

*****Recommended Changes to this rule in red**

Rule 3332-1-09 | Student enrollment policies and practices.

(A) It is the responsibility of the school to determine with reasonable certainty, in advance of the acceptance of a prospective student's enrollment, that the student meets the minimum basic admissions qualifications as required by the school to successfully benefit from the program they intend to enter.

(B) Prior to a student's enrollment, a school shall determine, with reasonable certainty, that a prospective student is fully informed as to:

(1) The graduation requirements and expected outcomes of the program they desire to take;

(2) The financial obligations they are entering into;

(3) Their responsibilities and rights under any contracts or agreements that they are given to sign;

(4) The placement and graduation rates for the program they are entering into. No applicant will be allowed to sign an enrollment agreement until the school has provided the applicant with placement and graduation rates, for any program the student is considering, for each of the preceding three years; and

(5) The school's most recently available passage rates on any state licensure exams related to any program that the student is considering.

(C) Prior to starting a program, all potential students enrolled in an Ohio school must review and complete the state board of career colleges and schools online student disclosure course as required by the board. The cost of the disclosure course shall not exceed ~~twenty-five thirty~~ dollars per student for any new student who enrolls in a registered Ohio school and for whom the school keeps any portion of the tuition or registration fee. Schools that do not require that students pay tuition and fees may request a waiver of the course fee.

(D) A prospective student may be officially enrolled in school only when they have completed the school's enrollment agreement. A copy of the enrollment agreement must be furnished to the student at the time the agreement is completed.

(E) All enrollment agreements shall be on forms provided by the school and contain the following minimum information:

(1) Name, phone number and mailing address of school.

(2) Program title and starting date.

(3) Number of clock or credit hours in the program including the number of weeks or months usually necessary to complete the program. For clock hour programs, schools must also list the number of clock hours in each academic term.

(4) A breakdown of tuition charges and all other school fees for which the student is responsible. This breakdown shall include the tuition costs for the current academic term and the total projected tuition cost of the program at current tuition rates. This breakdown shall also include a disclosure concerning any tuition or fee increase policies that may affect the student before their expected graduation date.

(5) The school's refund policy as required by rule [3332-1-10](#) of the Administrative Code.

(6) The school's cancellation and settlement policy including notification that the enrollment agreement may be canceled by submitting written notice within five days pursuant to rule [3332-1-10](#) of the Administrative Code.

(7) Signature or other electronic verification from applicant and school official including the date completed.

(8) Notice to student concerning their ability to file a complaint with the state board of career colleges and schools including board's correct name, address and ~~toll-free~~ telephone number.

(9) Date of publication and last date of revision or review as noted on the enrollment agreement. All enrollment agreements should be reviewed at least once every two years.

(F) A student who applies for financial aid through the school shall be required to sign a statement acknowledging an understanding of the financial obligations into which they are entering and a copy must be kept in the student's file.

(G) If a school accepts an enrollment from a person who does not meet the normal basic qualifications for acceptance, it should have a record of whatever communication has taken place about the prospective student and of the reasons why they were permitted to enroll, and be prepared to justify its action to the board in accepting the enrollment, if requested.

(H) No school shall accept an enrollment from a person of compulsory school age unless legally dismissed from school, nor one attending a school of elementary or high school level, until and unless it has been established through contact with properly responsible persons that pursuit of the course would not be detrimental to his/her regular school work.

(I) If a school requires a high school diploma, ~~GED~~ or other ~~state recognized~~ equivalent ~~credential~~ for admission to a program, a student may be admitted to the program upon written verification from the student that they have received their high school diploma, ~~GED~~ or other ~~state recognized~~ equivalent ~~credential~~. The board may require schools to audit

admissions records and provide independent verification from the appropriate high school, state department of education or other independent source verifying that the student has received their high school diploma, ~~GED~~ or other **state recognized equivalent credential**. If the school is unable to obtain this independent verification, the student must be withdrawn at the end of the student's current academic term.

(J) If a school requires a high school diploma, ~~GED~~ or other **state recognized equivalent credential** for admission to a program the school may not accept any high school diploma from an online or correspondence high school unless the high school is:

- (1) Authorized to offer online or correspondence high school diplomas by the state they are located within; or,
- (2) Accredited by an accrediting agency recognized by the US department of education and authorized to issue high school diplomas by that accrediting agency; or,
- (3) Approved in writing by the state board of career colleges and schools.

(K) It is the responsibility of each school to assure that their enrollment agreement is in compliance with this rule. The board reserves the right to periodically review and inspect enrollment agreements and to require changes to comply with this rule.

*****Recommended Changes to this rule in red**

Rule 3332-1-10 | Tuition and fees.

(A) Tuition

(1) Each school must establish a total tuition charge for each program of instruction and the tuition charge must be applied uniformly to all students. This requirement does not apply to group tuition rates to business firms, industry, or governmental agencies that are documented by written agreements between the school and the respective organization. All possible tuition or fee increase policies that may affect a student before their expected graduation date must be set forth in the student's enrollment agreement.

(2) Any additional fees for activities, books, equipment (to be purchased or rented), or room and board shall be stated separately on the school's enrollment agreement and in the school catalog.

(B) Other fees:

(1) A school may charge an application, enrollment or registration fee of not more than fifteen per cent of the total tuition charge for the program or one hundred and twenty-five dollars, whichever is the lesser. This fee is refundable only under the provisions of paragraph (F)(1) of this rule.

(2) All other fees including fees for activities, equipment, books, **technology**, laboratory supplies, graduation expenses, and room and board must be set forth on the school's enrollment agreement and uniformly applied. Administrative, academic, general supply and any other general fees are considered refundable fees and are refundable in the same manner as a school's tuition. Fees for books or other specifically designated school supply items are refundable in the manner prescribed by rule [3332-1-10.1](#) of the Administrative Code.

(C) Collecting tuition and fees

(1) All schools must collect and assess tuition and fees as follows:

(a) Credit hours - for programs organized on a credit hour basis, schools may collect and financially obligate students for tuition and fees for a maximum of one quarter or semester. Any student loans or other financial aid funds received by a school must be collected and disbursed in accordance with paragraph (D) of this rule.

(b) Clock hours - for programs organized on a clock hour basis, unless otherwise specifically approved by the board in writing, schools may collect and financially obligate students for tuition and fees for a maximum of **four hundred fifty clock hours or fifteen weeks of instruction at a time**, and may not collect or financially obligate students for

~~tuition and fees for the next segment of up to four hundred fifty clock hours or fifteen weeks of three hundred clock hours or six months of instruction at a time, and may not collect or financially obligate students for tuition and fees for the next three hundred hour or six-month segment until it begins. Any student loans or other financial aid funds received by a school must be collected and disbursed in accordance with paragraph (D) of this rule.~~

(D) Student loans and financial aid

(1) Student loans or other financial aid funds received from federal, state, or local governments or administered under the federal student financial assistance programs governed by Title IV of the "Higher Education Act of 1965," 20 U.S.C.A. 1070 et seq., as amended, must be collected and applied in the manner as controlled by the applicable federal, state, or local regulations.

(2) Student loans or other financial aid funds received from private entities including, but not limited to, banks, financing companies, credit card companies, and other lending sources must be collected or disbursed in the following manner:

(a) Loans or other financing payments for amounts less than five thousand dollars may be disbursed as a single disbursement, regardless of course length.

(b) Loans or other financing payments for amounts greater than five thousand dollars that reflect a class term less than six months must have two equal disbursements. The disbursement schedule is as follows: one-half of the tuition amount released initially, and the remainder released half way through the course term.

(c) Loans or other financing payments for amounts greater than five thousand dollars that reflect a class term greater than six months, but less than twelve months must have three equal disbursements. The disbursement schedule is as follows: one-third of the tuition amount released initially, the second disbursement will be released one-third of the way through the length of the training, and the remainder released two-thirds of the way through the course term.

(d) Loans or other financing payments for amounts greater than five thousand dollars that reflect a class term greater than twelve months must have four equal disbursements. The disbursement schedule is as follows: one-quarter of the tuition amount released initially, the second disbursement will be released one-quarter of the way through the length of the training, the third disbursement will be released half way through the length of the training, and the remainder will be released three-fourths of the way through the training.

(3) No school may enter into any contract or agreement with, or receive any money from, private entities including, but not limited to, banks, financing companies, credit card companies, and other any other private lending sources unless the private entity has a

disbursement policy that, at a minimum, meets the requirements of paragraph (D)(2) of this rule.

(E) Tuition charges and other fees cannot be discounted **on a student-by-student basis**. Discounting is not necessarily limited to the following examples:

(1) Offering **a** **an individual** student applicant a lower tuition rate if payment is made before a certain date.

(2) Offering an incentive of lower tuition to a student for aiding in the recruitment of other potential or actual students.

(3) Allowing a student to work at the school in lieu of tuition payments or a lower tuition payment.

(4) Offering lower tuition for payment in cash.

(5) Offering lower tuition when other members of a student's family attends the school.

(6) The tuition discounting prohibition shall not apply to tuition discounts provided to employees or members of an employee's family where the discount is available to all similarly situated employees and their families.

(7) The tuition discounting prohibition shall not apply to tuition discounts provided to students where the discount is publicly available to all similarly situated students.

(F) Uniform tuition refund policy.

(1) An enrollment agreement or school application may be canceled within five calendar days after the date of signing provided the school is notified of the cancellation in writing. The school shall promptly refund in full all tuition and fees paid pursuant to the enrollment agreement or school application. Such refund shall be made no later than thirty days after cancellation. This provision shall not apply where a student has already started classes.

(2) The state refund policy as set forth in this rule must be uniformly applied to all students, unless the use of local, federal or state financial aid funds mandates the use of the refund policy required by another governmental entity. Schools may use a refund policy that is different from the policy required by this rule if the proposed refund policy is uniformly applied in that school and is more favorable to students and has been approved in writing by the board.

(3) The refund policy of each registered school must be identified and printed on the enrollment agreement and in the school's catalog.

(4) Schools are not required to take daily attendance. However, if a school **s** does not take daily attendance it must develop an alternative method to accurately determine a

student's last date of attendance for refund purposes and this alternative method must be approved by the board in writing.

(5) Refunds shall be made within thirty days after the school has determined that a student has withdrawn unless another refund period is mandated by the use of state or federal financial aid funds. If a student ceases attending school but does not officially notify the school of their withdrawal, the school must treat the student as withdrawn within sixty days of the student's last date of attendance or participation in an academic activity.

(6) A student's withdrawal date used to calculate refunds shall be the student's last date of attendance and participation in an academic activity unless another method for calculating withdrawal dates has been approved by the board in accordance with paragraph (F)(4) of this rule. A school may not require that notice of withdrawal be in writing, on or in any particular form, or delivered in any specific manner.

(7) Schools must complete a refund calculation for each student who officially withdraws, is dismissed, or otherwise ceases attending and a record of the refund calculation must be kept in the student's file. If it is determined that a student is owed a refund the refund must be issued in accordance with paragraph (F)(5) of this rule. If it is determined that that a student is not due a refund, the student must be notified of the determination in writing, within sixty days of the student's last date of attendance, and a full explanation must be made to the student. Any correspondence or other communication dealing with refunds shall be kept in a student's permanent records.

(8) Schools may not assess any additional fees associated with a student's withdrawal or termination from school.

(9) Schools that collect and financially obligate students for tuition charges in individual courses within a program may use a separate courses refund policy if the policy is uniformly applied and approved in writing by the board.

(10) Schools may develop separate refund polices for determining refunds where students withdraw from individual courses during an academic term but remain enrolled in other courses at the school.

(11) If a student stops attending classes and is placed on a leave of absence in lieu of a withdrawal from school, the school must document the nature of the leave of absence and the date the leave of absence ends. No leave of absence may exceed six months unless it is a military leave of absence or otherwise approved in writing by the board. A student who fails to return to school at the end of a leave of absence shall be formally withdrawn from the school and any refund of tuition and fees shall be issued in accordance with the last date of a student's attendance in class or participation in an academic activity.

(12) Pursuant to section [3332.20](#) of the Revised Code institutions shall grant a student a military leave of absence from the institution while the student is serving on active duty and for one year after the conclusion of that service. The student shall not suffer academic penalty as a result of the leave of absence. Tuition refunds for students on a military leave of absence shall be calculated in accordance with section [3332.20](#) of the Revised Code.

(13) State refund policy for programs organized on a credit hour basis.

(a) A student who starts class and withdraws during the first full calendar week of the quarter or semester shall be obligated for twenty-five per cent of the tuition and refundable fees for that academic term plus the registration fee.

(b) A student who withdraws during the second full calendar week of the academic term shall be obligated for fifty per cent of the tuition and refundable fees for that academic term plus the registration fee.

(c) A student who withdraws during the third full calendar week of the period academic term shall be obligated for seventy-five per cent of the tuition and refundable fees for that academic term plus the registration fee.

(d) A student who officially withdraws beginning with the fourth full calendar week of the academic term will not be entitled to a refund of any portion of the tuition or refundable fees.

(14) State refund policy for programs organized on a clock hour basis:

(a) All clock hour programs that exceed **four-hundred and fifty three hundred** clock hours **or fifteen weeks** must be broken into academic terms in accordance with paragraph (F)(11)(b) of this rule and as approved by the board. The number of clock hours in each academic term must be set forth on the school's enrollment agreement. Each academic term shall constitute a separate refund period.

(b) For programs operating on a clock hour basis, programs of **four-hundred and fifty three hundred** to **nine six** hundred hours will be considered equivalent to two academic terms and, therefore, shall be divided by two. Programs of **nine six** hundred to **one thousand and three hundred and fifty nine hundred** clock hours shall be considered to be equivalent to three academic terms and shall be divided by three. Programs that are more than **one thousand and three hundred and fifty nine hundred** hours but that are normally completed in less than one calendar year shall be divided by four. Programs that are normally completed in more than one year shall **oblige students for no more than four hundred fifty hours or fifteen weeks at a time, in accordance with this rule.** ~~consider the clock hours scheduled in the second year as new academic terms and those clock hours occurring in the second year shall be divided in accordance with this paragraph.~~

(c) Refunds in clock hour programs shall be made for each academic term in accordance with the following procedures:

(i) A student who starts class and withdraws before the academic term is fifteen per cent completed will be obligated for twenty-five per cent of the tuition and refundable fees for the current academic term plus the registration fee.

(ii) A student who starts class and withdraws after the academic term is fifteen per cent complete but before the academic term is twenty-five per cent completed will be obligated for fifty per cent of the tuition and refundable fees for the current academic term plus the registration fee.

(iii) A student who starts class and withdraws after the academic term is twenty-five per cent complete but before the academic term is forty per cent completed will be obligated for seventy-five per cent of the tuition and refundable fees for the current academic term plus the registration fee.

(iv) A student who starts class and withdraws after the academic term is forty per cent completed will not be entitled to a refund of the tuition and fees for the current academic term.

(G) In the case of documented student illness or accident, death in the family, or other circumstances beyond the control of the student, the student may be entitled to special consideration and the school may settle the account for an amount which is less than that called for by the school's established policy.

(H) Schools that have their program authorization revoked for cause for any specific program shall provide students enrolled in the program at the time of revocation who have not completed the program and who are unable to complete the program at another institution, the opportunity to receive a refund of all tuition and fees paid for the program. Any refund of tuition and fees under this provision shall first be made to the applicable student aid lenders of each affected student.

(I) Collection procedures used by the school must be consistent with the laws and rules applicable thereto.

(J) Schools may adopt policies related to the continuing matriculation or graduation of students who have unpaid tuition and fees or who are not in compliance with institutional payment plans. These policies shall be clearly stated in the school's catalog and may include restrictions such as not permitting students to start new academic terms, preventing students from graduating, and holding student transcripts. However, schools shall not prevent students from completing an academic term in progress or impose other academic restrictions during the course of an academic term unless those consequences

are set forth in the school's institutional payment plans or other school policies published in the school catalog.

(K) Schools shall not withhold a student's official transcripts from a potential employer or state licensing authority because the student owes money to the school, provided the student has authorized the transcripts to be sent to the employer or state licensing authority and the employer or state licensing authority affirms to the school that the transcripts are a prerequisite of employment or licensing.

(L) Schools that have closed and ceased operating shall not refuse to issue or release transcripts due to unpaid tuition or fees or impose any other financial restraint or condition on the release of student transcripts and other academic records. If the school transfers its academic records to another entity for storage or servicing, the entity in possession of the academic records shall not refuse to issue or release transcripts due to unpaid tuition or fees or impose any other financial restraint or condition on the release of student transcripts and other academic records other than normal and customary fees for processing records requests and issuing student transcripts.

(M) Pursuant to section 3332.16 of the Revised Code, consumer transactions entered into with schools subject to this chapter are subject to Chapter 1345. of the Revised Code.

*****Recommended Changes to this rule in red**

Rule 3332-1-12 | Advertising, promotional literature and publicity.

(A) Any advertisement or promotional literature written or used by a school holding a certificate of registration with the board must carry the name, address, and registration number as listed on its certificate of registration.

(B) No school or its agents shall advertise or imply that the school is "recommended" or "endorsed" by the board. If reference is made to the certificate of registration issued by the board, this official reference shall only read, "approved by the state board of career colleges and schools."

(C) Any advertisement or piece of promotional literature written or used by a school holding a certificate of registration with the board must be completely truthful and must be prepared and presented in such a manner as to avoid leaving any false, misleading or exaggerated impressions with respect to the school, its personnel, its courses and services, or the occupational opportunities for its graduates.

(D) Schools or representatives shall not use a picture, photograph, cut, engraving, or illustration in bulletins, sales literature, web pages or other promotional material, in such a manner as to convey a false impression.

(E) A guarantee of placement for graduates must not be promised or implied by any school, agent, or representative thereof. No school in its advertising or through its representatives or agents shall guarantee or imply the guarantee of employment before enrollment, during the pursuance of the program, or after the program is completed.

(F) No school shall guarantee any certain wage, or imply earnings greater than the prevailing wage earned by the school's graduates as documented by the school's placement records. For new programs that have no current graduates, information provided to students about potential wages should be corroborated by verifiable documentation concerning entry level wages in the field of study.

(G) No owner, partner, officer, employee, agent, or other person acting on behalf of any school shall make any fraudulent statement, misrepresentation, or misleading statement of fact.

(H) Schools placing advertisements or other marketing content in newspapers, social media sites, web sites, internet search engines or any other medium shall clearly disclose that the school is offering education or training programs and shall not state or imply that the school is offering employment opportunities unless the school is specifically recruiting employees for the schools. Schools using classified columns of newspapers or other

~~employment related publications, including web sites or internet search engines, to procure students must use only such classifications that are headed by "education," "schools," "instruction," or other categories that include advertisements for schools and programs. "Help wanted," "employment," or "job opportunities," classifications that are specifically directed at employment opportunities may be used only to procure employees for the school.~~

- (I) Schools using social media sites such as Instagram, Facebook, Linked-In...) shall clearly disclose the following phrase on their home page and/or within their profile "This school is approved by the Ohio State Board of Career Colleges and Schools. For more information go to <https://scr.ohio.gov> "
- (J) No school may advertise that it is endorsed by, or partners with, business establishments, manufacturers, organizations or individuals engaged in the line of work for which it gives training, until the school has obtained written evidence of this endorsement and the written evidence must be kept on file for inspection by the board.
- (K) No school may claim accreditation from an accrediting agency through any of its advertising, promotional material, or during the solicitation process unless the accrediting agency is currently recognized as an accrediting agency by the United States department of education or has otherwise been approved in writing by the board.
- (L) "Outside Service Provider" means an entity that is not an approved career college or school that enters into an agreement with a career college or school to support a program by providing marketing and recruitment services. Schools that contract with outside service providers that provide marketing or recruitment services shall be responsible for assuring that the outside service providers adhere to the standards set forth in agency 3332 of the Adminsittrative Code. Schools shall be subject to disciplinary action in accordance with Chapter 3332. of the Revised Code for any acts or omissions committed by outside service providers that violate any provision of agency 3332 of the Administrative Code.

*****Recommended Changes to this rule in red**

Rule 3332-1-16 | Program standards.

(A) All schools submitting programs for approval by the board shall meet the minimum standards of this rule.

(B) All programs approved by the board shall meet the following minimum standards:

(1) Each program of instruction shall be described in a manner that concisely and accurately conveys the following to a prospective student:

(a) The specific content of the curriculum; and

(b) The intended employment outcomes including any state occupational licensure requirements; and

(c) The entrance and graduation requirements.

(2) A school must submit to the board with the application for new program authorization a list of instructors and their relevant academic and employment qualifications. If the school has not yet hired instructors for the program the school shall submit proposed hiring criteria for the program instructors. For each new instructor hired to teach a program, a school must keep documentation of the instructor qualifications including resume and academic transcripts in a format that may be reviewed by the board.

(3) The classroom, laboratory facilities, **online systems** and equipment must be appropriate to the program of study. At the time of submitting the application, each school must submit a list of equipment and include with the application a timetable as to when such equipment shall be made available.

(4) A school shall provide library resources appropriate to the program(s) of study along with standard works of reference.

(5) Titles of representative entry level positions for which graduates can be prepared shall be specifically stated in the request for program authorization. Realistic advancement opportunities that can be enhanced by successful employment experience shall be stated when appropriate. **The board may request that schools submit letters of program evaluation from relevant employers or other industry recognized experts regarding the anticipated work readiness of program graduates.**

(6) If internships, externships, or clinicals are necessary as a part of a school's educational program, schools must demonstrate that they have secured a sufficient number of internship, externship or clinical site agreements to meet the needs of students in the program.

(7) A school must certify that all students who receive a grant pursuant to section [3333.122](#) of the Revised Code maintain an academic record that meets or exceeds the school's standards for satisfactory progress as set forth in the school's catalog.

(8) Program names must accurately reflect the content of the program and the potential employment outcomes. No program shall use the word "certified" in the program name unless the program is specifically designed to lead to an industry recognized certification.

(9) If the program requires approval of another state agency, the school may be required to provide documentation of the additional approval as part of the program review process.

(10) All programs must be designated as either credit hour programs or clock hour programs. All credit hour programs must award credit in either whole or half numbers.

(11) Programs that are designed to prepare students for employment in a field that requires state licensing shall provide students with appropriate assistance in preparing for state administered professional licensing exams related to the program in which the student is enrolled. These programs must also maintain minimum acceptable passage rates on state licensing exams, as determined by the requisite professional licensing agency. **Schools are required to provide timely verification of graduation, including completion and submission of state-issued verification forms and necessary academic records, to appropriate licensing bodies upon the request or authorization of the graduate.**

(12) A school may contract with outside service providers to provide course content or other training services and the school shall be responsible for assuring that the contract service providers adhere to the standards set forth in agency 3332 of the Adminsittrative Code. **Schools should employ qualified faculty and administrators to oversee any content service providers.** Schools that are accredited must also demonstrate that the proposed use of contract service providers is in compliance with the school's accreditation standards. Schools shall be subject to disciplinary action in accordance with Chapter 3332. of the Revised Code for any acts or omissions committed by contract service providers that violate any provision of agency 3332 of the Administrative Code.

(C) All certificate and diploma programs approved by the board shall meet the following minimum standards:

(1) "Certificate program" means generally one or more technical courses usually completed in one to twenty-six weeks, with a single skill objective and generally consisting of at least twenty and no more than six hundred clock hours or thirty-six quarter credit hours or twenty-four semester credit hours. In special cases, non-technical may be included when it is demonstrated such courses are essential to the program and occupational outcomes.

(2) "Diploma program" means a program of instruction offering technical and non-technical coursework. The program shall generally range in length from more than six hundred but less than fifteen hundred clock hours; or more than thirty-six but less than ninety quarter credit hours; or more than twenty-seven but less than sixty semester hours.

(3) Generally eighty per cent of a certificate program's curriculum shall be in the technical courses that support the program's objectives. The curriculum must state whether it will be measured in credit or clock hours.

(4) Generally seventy per cent of a diploma program's curriculum shall be in the technical courses that support the program's objectives. The curriculum must state whether it will be measured in credit or clock hours.

(5) A certificate or diploma program instructor whose teaching assignment is in the occupational specialty must have a high school diploma or GED **state recognized equivalent credential**, other formal training or certification necessary to the program, and have demonstrated competency as a wage earner, for at least three years, in the related technical field. Instructors teaching general education courses shall hold a bachelor's degree with a concentration in the discipline as a minimum.

(6) **In certificate and diploma programs, schools may employ teaching assistants who have formal training in the related technical skills and knowledge of the program and who assist with classroom and laboratory instruction under the direct supervision of a qualified instructor, but not independently.**

(7) Initial program authorization will be for a period not to exceed two years in length. Renewal of program authorization will coincide with the renewal of certificates of registration.

(D) All associate degree programs approved by the board shall meet the following minimum standards:

(1) "Associate degree program" means a program of instruction consisting of technical and non-technical courses in which full-time students may complete program requirements in a minimum of two academic years, six to eight academic quarters, or four semesters.

(2) All associate degrees awarded by Ohio schools approved by the board shall be designated as "associate of applied science" or "associate of applied business" unless the associate degree program meets the requirements of paragraph (D) of rule [3333-1-04](#) of the Administrative Code.

(3) A school seeking initial program authorization for an associate degree program must have received a grant of institutional accreditation by a national or regional accrediting agency that is recognized and approved by the United States department of education.

(4) A school seeking program authorization for an associate degree program must meet one of the following minimum requirements:

- (a) The school must have been in operation, with students enrolled, for a minimum of two years, prior to submitting an application for consideration; or,
- (b) The school must have been under the same ownership as another school that has previously been approved to award associate degrees by the board or by another state for at least two years; or,
- (c) The school must have been approved by another state to award associate degrees for a period of at least two years; or,
- (d) The school has been permitted by the executive director to grant associate degrees in approved teach-out situation.

(5) The curriculum for an associate degree program shall consist of a minimum of ninety quarter hours or sixty semester hours of instruction and shall include:

- (a) A minimum of forty-two quarter credit hours or twenty-seven semester credit of non-technical course instruction.
- (b) A minimum of fifty per cent of quarter or semester hours of technical course instruction directly related to the program's occupational objectives.
- (c) A maximum generally of one hundred ten quarter credit hours or seventy-three semester hours unless otherwise approved by the board.
- (d) Remedial coursework shall not be academically creditable.
- (e) Schools may submit a program authorization request to deviate from the associate degree program credit hour requirements so long as the school demonstrates that the program is in compliance with the school's accreditation requirements and is otherwise in compliance with this rule.

(6) Associate degree program authorization and renewal authorization shall be for a time period as determined by the board not to exceed two years. Associate degrees shall be renewed and assessed fees for a period that coincides with the approval cycle for a school's certificate of registration.

(7) A major is a specialization within an associate degree program. Generally, a minimum of twenty percent and no more than thirty percent of the total hours in the program must be allocated to the technical discipline named in the major.

(8) A concentration is a specialization within an associate degree program that is less intense than a major. A minimum of thirteen quarter hours or eight semester hours and no

more than nineteen percent of the total hours in the program must be allocated to the technical discipline named in the concentration.

(9) A school offering an associate degree shall maintain a library supervised by a trained librarian or competent staff member. The library shall provide appropriate access within the school to standard reference, periodicals and books consistent with the curriculum offerings. The physical holdings may be augmented by an approved cooperative arrangement with another library or by electronic access. The hours of operations for the library shall be for the convenience of the students attending the institution. An area for students to study must be provided.

(10) A school proposing to offer the associate degree should form an advisory committee that utilizes appropriate persons to advise in the establishment and maintenance of a quality educational program. The advisory committee should be composed of individuals who are not employed by the institution, but who are recognized as practitioners from the community in the disciplines encompassed by the associate degree. Advisory committees shall meet at least once per year to review the program curriculum and program outcomes and the school shall keep minutes of the advisory committee meetings available for inspection by the board.

(11) Before the establishment of the associate degree program, a school shall have at least one person employed to offer leadership in program development, work with advisory committees, recommend equipment and monitor the program's implementation and operation. Such a person must be competent in the field of instruction either by training or work experience or a combination of both.

(12) A school offering an associate degree shall provide academic advisement for all students.

(13) Students admitted to an associate degree program shall be a high school graduate or possess the GED **state recognized equivalent credential**.

(14) A student may be admitted to the associate degree program upon written verification from the student that they have received their high school diploma or GED **state recognized equivalent credential**. The board may require schools to audit admissions records and provide independent verification from the appropriate high school, state department of education or other independent source verifying that the student has received their high school diploma or GED **state recognized equivalent credential**. If the school is unable to obtain this independent verification, the student must be withdrawn at the end of the student's current academic term.

(15) Instructors with teaching assignments primarily in technical areas of an associate degree program shall have the following minimum qualifications:

(a) Formal education appropriate to the specialization, usually including the bachelor's or master's degree or their equivalent as demonstrated by expertise, license, or certification and three years work experience; or

(b) Practical experience other than teaching in the appropriate specialization, as demonstrated by full-time employment for five years in the career area, or a related field, and evidence of professional certification in the field of concentration.

(16) In technical courses that are part of an associate degree program, schools may employ teaching assistants who have formal training appropriate to the specialization or content, usually in the form of a certificate, diploma, or associate's degree or equivalent as demonstrated by compensated work experience, expertise, license, or certification. Such teaching assistants may assist with classroom and laboratory instruction under the direct supervision of a qualified instructor, but not independently.

(17) All instructors whose assignments are primarily in the teaching of the general studies curriculum should hold a master's degree or have bachelor's degree in the subject matter discipline, and should also show evidence of professional development in the subject matter discipline.

(18) Full-time instructors who teach in the general studies portion of any degree program must have the following qualifications:

- (a) Hold a master's degree in the subject matter discipline he/she is assigned to teach; or
- (b) Hold a master's degree in education with proficiency in the subject matter discipline; or

(19) For purposes of this rule only, "full-time instructor" means an instructor who is assigned for at least thirty hours per week of instruction, laboratory teaching or office hours;

(E) All advanced degree programs approved by the board shall meet the following minimum standards:

(1) "Advanced degree program" means a program of instruction at the baccalaureate, masters or doctorate level of instruction.

(2) All advanced degree programs offered by Ohio based schools must be approved by both the board and the Ohio department of higher education in accordance with section [3332.05](#) of the Revised Code. During any review of advanced degree programs the board will use the standards adopted by the Ohio department of higher education. The board shall not issue such final program authorization for any advance degree programs offered in Ohio unless the degree program has been approved by the Ohio department of higher education pursuant to the provisions of section [3332.05](#) of the Revised Code.

(3) Program authorization shall be for a period as specified by the board, dependent upon the outcome of the program review. Renewal authorization will be for a period as determined by the board not to exceed two years. Advanced degrees shall be renewed and assessed fees for a period that coincides with the approval cycle for a school's certificate of registration.

*****No changes Recommended to this rule**

Rule 3332-1-17 | Issuance of agent permits.

(A) Any individual whose primary duty, on or off school premises, is to solicit prospective students to enroll for a fee at a registered Ohio school, must first obtain an agent's permit from the board. No individual shall sell any program in Ohio or solicit students for any Ohio career school unless the individual, the school, and the program are approved by the board.

(B) All agents must be regular school employees and may not be outside commissioned persons such as solicitors, canvassers, or independent contractors. The school is responsible for assuring that all agents have been issued permits prior to soliciting prospective students.

(C) A school employee whose primary duties do not include soliciting prospective students may assist in the student admissions process without securing an agent permit so long as their actions are in accordance with rule [3332-1-17.2](#) of the Administrative Code.

(D) Each school shall assume full responsibility for the actions, statements and conduct of its agents unless an agent's acts or omissions were manifestly outside the scope of the agent's employment or official responsibilities.

(E) Schools will provide agents with adequate training and arrange for proper supervision of their work.

(F) Persons seeking agent permits must make application on forms provided by the board. Each application for an agent permit or a renewal may be subject to a non-refundable fee as set forth in the board's fee schedule. Agent permits are processed and approved by the board staff. Any staff recommendation for the denial or revocation of an agent permit will be considered by the board in accordance with rule [3332-1-17.1](#) of the Administrative Code.

(G) Agents must complete training and continuing education as required by the board.

(H) If an agent represents more than one school, they must obtain a separate permit for each school represented. An agent who represents a person or entity that operates more than one school in the same geographical area, as determined by the board on a case-by-case basis, need not obtain a separate permit for each school.

(I) An agent permit is valid for a maximum of two years from the date it is issued. The permits will be made available to the school in an electronic format.

(J) Agent permits must be renewed at the same time the school is renewing their certificate of registration. The responsibility for renewal of the agent's permit rests with the school.

(K) No permit shall be issued to any person found by the board not to be of good moral character. Any applicant who has pleaded guilty to or has been convicted of a felony or has pleaded guilty or has been convicted of a crime of moral turpitude must file a detailed explanation of the circumstances with the agent application and include three letters of reference from the community. The school planning to employ the applicant must validate all elements of the application and provide evidence of the authenticity of the letters of reference.

(L) The board or the school may require that any agent submit to a background check prior to the issuance of an agent's permit.

(M) If an agent is dismissed by a school for giving prospective students misleading, false or fraudulent information relating to the program of instruction, employment opportunities, scholastic loans, other financial aid and the like, the school must notify the state board within thirty days, in writing, and include a synopsis of the reasons for dismissal. Schools must retain, in their files, full documentation of each dismissal.

(N) When a school's certificate of registration is suspended, revoked, or canceled, all agent's permits issued for that school are immediately suspended, revoked, or canceled.

*****No changes Recommended to this rule**

Rule 3332-1-17.1 | Disciplinary action involving agents.

(A) The board may suspend, revoke, deny or cancel an agent's permit for any one or a combination of the following causes pursuant to section [3332.12](#) of the Revised Code:

(1) Violation of any provision of sections [3332.01](#) to [3332.99](#) of the Revised Code or any rules or regulations adopted by the board.

(2) Presenting to prospective students, either at the time of solicitation or enrollment, or through any advertising or other communication medium, misleading, deceptive, false, or fraudulent information relating to any program, employment opportunity, or opportunities for enrollment in accredited institutions of higher education after entering or completing programs offered by the school of employment.

(3) Discrimination in the acceptance of students upon the basis of race, color, religion, sex, or national origin.

(4) Failing to display the agent's permit in a reasonable amount of time upon demand of a prospective student or other interested person.

(5) Failing to provide, at the request of the board, any information, records, or files pertaining to the recruitment or enrollment of students.

(6) Presenting either in writing or orally, misleading, false, or fraudulent information relating to the availability of student financial aid.

(7) Failure to remit to the school, promptly, any funds received from the prospective or new students even though the school may be in arrears in its financial obligations to the agent.

(8) Offering money or other considerations to students or any other persons, who do not possess an agent permit, to solicit, recruit or otherwise entice prospective students to enroll in the school.

(9) Attempting to obtain a list of names of prospective students still attending any other school for solicitation purposes.

(10) Accepting employment or affiliation with an employment or sales agency other than the placement service provided by the school represented.

(11) Any violation of or failure to adhere to the ethical conduct of agents, as adopted and published by the board in rule [3332-1-17.2](#) of the Administrative Code.

*****No changes Recommended to this rule**

Rule 3332-1-17.2 | The ethical code of conduct for student solicitation.

(A) All agents must be registered in accordance with rule [3332-1-17](#) of the Administrative Code. Agents must receive at least twenty-five percent of their total annual compensation from the school in salary that excludes money received from commissions.

(B) All agents, school directors or other persons involved in the recruitment and solicitation of students must conform to the following code of conduct:

(1) Have a thorough understanding of the school, its program offerings, facilities, staff and instructor qualifications.

(2) Have a knowledge of the success of individuals who have completed the school's programs and were able to obtain either initial employment or advancement in the field in which they were trained.

(3) Clearly understand that "approved" and "accredited" are not the same terms and are not to be used as such. Accredited will only be used by schools who have been accredited by an accrediting body recognized by the United States department of education.

(4) Refrain from discrediting other schools by claiming that they are guilty of dishonorable conduct, are unable to fulfill the terms of a contract, are in trouble financially or make other derogatory comments.

(5) Refrain from attempting to influence a student to withdraw from a school that the student is presently attending.

(6) Refrain from encouraging a prospective student to change plans after signing an enrollment application and paying the registration fee to another school.

(7) Refrain from making exaggerated statements concerning job or employment opportunities.

(8) When applicable, carefully explain to the prospective student that, in addition to program completion, there are certain employment positions requiring examinations and tests, either state or federal, to become licensed prior to being employed in specific field.

(9) Accurately state the availability of financial assistance at the school.

(10) Be responsible to make sure the prospective student is provided a receipt for monies collected and a copy of the enrollment agreement and student disclosure form.

(11) Remit to the school, promptly, any funds received from prospective or new students even though the school may be in arrears in the financial obligations to the agent

(12) Refrain from offering money or other considerations to students or any other persons, who do not possess an agent permit, to solicit, recruit or otherwise entice prospective students to enroll in the school that you represent.

(13) Avoid making any false or misleading statements or other representations to students about the school and the programs it offers.

(14) Have an understanding of the rules and regulations of the board that pertain to the admissions process or the solicitation of students.

*****No changes Recommended to this rule**

Rule 3332-1-25 | School closures.

(A) A school that is unable to continue business operations, whether as the result of a business failure or otherwise, shall contact the board prior to the school's closure and develop and arrange an adequate teach-out plan for its students. Such plans must be submitted to the state board in writing prior to the school's closure.

(1) The teach-out plan will consist of but is not limited to the following:

- (a) Identification of the school's official date of closure; and
- (b) A listing by program of students enrolled at the time of the school's closure including home addresses, telephone numbers, email address, and estimated graduation dates for each student; and
- (c) The status of all current refunds due and balances owed; and
- (d) A listing of those students who had prepaid for any portion of their training and a calculation of the total amount which was prepaid by each student; and
- (e) A signed agreement with one or more local educational institutions able to provide adequate education to all students in all programs; and
- (f) Procedures for awarding graduates their certificates, diplomas, or degrees.

(B) A school operating under the provisions of this rule shall, prior to the discontinuance of such school, make adequate arrangements for the safekeeping of all academic and financial records of its former students and the arrangements must be approved by the executive director.

(C) The board will direct a registered school to provide a formal teach-out plan if the board has reason to believe the school may cease operations prior to students' completing their objectives.

(D) The closing of a school without invoking the procedures set forth in this rule will subject the holder of the certificate of registration to disciplinary action in accordance with the board's authority under section [3332.09](#) of the Revised Code.

*****Recommended Changes to this rule in red**

Rule 3332-1-26 | Off campus learning centers.

(A) An off campus learning center is an extension of a school that holds a certificate of registration with the board. Off campus learning centers approved under this rule must be physically located in the state of Ohio away from the registered school site, and operate as less than a full service school and market only programs and/or courses approved by the board.

(B) In general, the curriculum offerings shall be restricted to selected courses and not complete programs except under special circumstances as authorized by the board. All other administrative rules that apply to the registered school site will also apply to the learning center except those rules exempted by the board.

(C) A registered school shall obtain a separate certificate of registration for each learning center. Each application for issuance or renewal of a learning center shall be accompanied by a non-refundable fee if required by the board. The application must include a rationale which will support the perceived need for the learning center.

(D) The issuance or renewal of a learning center certificate of registration shall cover only the offering of courses/programs currently approved at the registered school site with no new individual program fees required. Approval for new programs/courses which are not currently approved at the registered school site and which are intended for offering at the learning center will be processed through the registered school site using current processing, procedures, and fees.

(E) A school seeking approval for a learning center must commit in writing to students enrolled in any course or program at a learning center that once begun, they will be given the opportunity to complete such courses or program either at the learning center or at the registered school site or be entitled to a full refund.

(F) The learning center should provide those support services which are essential to the delivery of instructional activities. Standards of quality for faculty, equipment, and instructional materials must be at the same level found at the registered school site.

(G) The executive director may approve learning centers provided that the registered school has submitted the required application, facility compliance information, and any required fees. All learning centers approved by the executive director shall appear on the board's consent agenda at the next board meeting.

(H) The board recognizes two types of learning centers:

(1) Satellite classrooms:

(a) A satellite classroom is an off-site facility used as temporary space to accommodate a temporary problem or space shortage at the registered school site; or to provide selected ~~short-term training laboratory or technical courses that cannot be provided at the school's permanent location due to space or facility constraints.~~ ~~on a temporary basis.~~

(b) Satellite classrooms are to be used only for selected course in a program that cannot be accommodated at the school's permanent location. If a school intends to offer an entire program at a satellite classroom the Board will presume that the location is being used as a permanent school and require that the school submit an application for a certificate of registration in accordance with OAC 3332-1-04.

(c) The authorization term for a satellite classroom cannot exceed the time stated on a school's certificate of registration.

(d) A satellite classroom must be located within ten miles of the registered school site.

(2) ~~Temporary Satellite~~ school facilities:

(a) A ~~temporary satellite~~ school facility is a school facility located away from the registered school site that is used to:

(i) Provide approved courses or programs ~~on intermittent basis and~~ that require less than a full service facility, or;

(ii) Provide training under contract with a public agency, private company or other sponsor.

(b) The authorization term for a ~~temporary satellite~~ school facility cannot exceed the time stated on the certificate of registration for the school's registered school site. Application for a renewal of a ~~temporary satellite~~ school facility must be made at the time of the renewal of the certificate of registration for the registered school site ~~and the Board will determine during the renewal process if the location needs to be approved as a permanent school.~~

(c) If a temporary school facility is being used an ongoing basis to offer programs and the school has a permanent onsite administrative presence, the Board will presume that the location is being used as a permanent school and require that the school submit an application for a certificate of registration in accordance with OAC 3332-1-04.

*****These changes are being proposed in response to the passage of House Bill 257 that authorizes public bodies to hold digital meetings under some circumstances**

Rule 3332-1-21 | Board meetings.

(A) This rule of the state board of career colleges and schools is adopted in compliance with section [121.22](#) of the Revised Code.

(B) Any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings by reviewing the board's web site or by:

(1) Writing to the following address:
"State Board of Career Colleges and Schools
30 East Broad Street, Suite 2481
Columbus, Ohio 43215"

(2) Calling the following telephone number during normal business hours: (614) 466-2752.

(C) All requests for meeting notification shall provide the name of the individual media representative to be contacted, his or her mailing address, e-mail address, and a telephone number where he or she can be reached.

(D) Any representative of the news media may obtain notice of all special meetings by requesting in writing that such notice be provided.

(E) In the event of a special meeting not of an emergency nature, the executive director shall notify all media representatives who have requested notification of such meeting by doing at least one of the following:

(1) Providing written notice, which must be mailed **or** distributed via electronic communication no later than four calendar days prior to the day of the special meeting.

(2) Notifying such representative by telephone or other electronic communication no later than twenty-four hours prior to the special meeting; such telephone notice or other electronic communication shall be complete if a message has been left for the representative, or if, after reasonable effort, the executive director has been unable to provide such telephone notice.

(3) Informing such representative personally no later than twenty-four hours prior to the special meeting.

(F) In the event of a special meeting of an emergency nature, the executive director shall notify all media representatives on the list of such meeting by providing either the notice described in paragraph (E)(1) of this rule, or that described in paragraph (E)(2) of this rule. In

such event, however, the notice need not be given twenty-four hours prior to the meeting, but shall be given as soon as possible.

(G) In giving the notices required by paragraphs (E) and (F) of this rule, the executive director may rely on assistance provided by any member of the state board of career colleges and schools and any such notice is complete if given by such member in the manner provided in this rule.

(H) The executive director shall maintain a list of all persons who have requested, orally or in writing, notice of all meetings of the state board of career colleges and schools at which specific subject matters designated by such persons are scheduled to be discussed. Any person may, upon request, have his name placed on such a list. Meeting **notices** will be sent via electronic communication and will also be posted on the board's web site.

Periodically, the executive director shall confirm that individuals who have been placed on the list, wish to continue to receive board notices.

(I) All schools or other persons that seek to have items considered by the board at a regularly scheduled board meeting, must submit the items for consideration in accordance with the published board meeting agenda deadlines that are available on the board's web site. Items submitted after the board meeting agenda deadlines may be considered by the board only if specifically approved by the executive director.

(J) If permitted by Ohio Revised Code section 121.221, meetings and hearings of the board may be held by means of video conference or other similar electronic technology and members of the board may attend such meetings and hearings by means of video conference or other similar electronic technology .

(1) The executive director shall notify the public, media representatives and all other parties required to be notified on the meeting at least seventy-two hours in advance of the meeting or hearing by reasonable methods by which any person may determine the time, location, agenda of the meeting or hearing, and the manner by which the meeting or hearing will be conducted, except in the event of an emergency requiring immediate official action. In the event of an emergency meeting, the public, media representatives, and all other parties required to be notified will be informed of the time, place, and purpose of the meeting as soon as possible.

(2) Any meeting or hearing held by the board which would be otherwise available to the public and is held via video conference or other similar electronic technology will be publicly available according to the method in which the meeting is conducted and in such a way that ensures that the public can observe and hear the discussions and deliberations of all members of the board, whether the member is participating in person or electronically. All members of the board shall have a sufficient internet or other electronic

connection to allow the member to be seen and heard clearly and shall be visible at all times.

(3) All public votes taken in the meeting or hearing shall be taken by roll call vote unless there is a motion for unanimous consent, and the motion is not objected to by a member of the board. If a vote is taken unanimously, the board shall provide the public with information on how the members voted, including any members who abstained from voting, in the form of publicly available meeting minutes published after the meeting or hearing.

(4) Any member of the board who intends to attend a meeting by means of a video conference or other similar electronic technology shall notify the chairperson of that intent not less than forty-eight hours before the meeting, except in the case of an emergency. In the event of an emergency, the member should notify the chairperson of such intent as soon as possible and prior to the start of the meeting.

(5) The board will not hold, nor allow board members to attend, meetings or hearings by means of video conference or other similar electronic technology if the meeting or hearing involves any of the following items:

(a) a vote to approve a major nonroutine expenditure, which is any expenditure not typically incurred by the board or reasonably planned for by means of the annual budget.

(b) a vote to approve a significant hiring decision, which is any hiring decision for a role not typical to the administrative staff of the board. Existing roles and those typical to the operation of the board's administrative functions may be conducted by means of video conference or other similar electronic technology.

(6) If, upon the notification of an upcoming meeting of the board, and not later than forty-eight hours before the meeting, the greater of at least ten per cent of the members of the board or two members of the board, notifies the chairperson that an item on the agenda must be acted upon at a meeting conducted fully in person, upon the chairperson's acknowledgement of receipt of the notification, the board shall take action on the item of the agenda only at a meeting conducted fully in person. The board may table such items individually for future in person meetings.

*****Recommended Changes to this rule in red**

Rule 3332-1-23 | Annual reporting.

(A) Pursuant to division (N) of section [3332.031](#) of the Revised Code, an annual report on the activities of the board will be published and made available via the board's web site for the governor, general assembly and other interested persons.

(B) Failure of registered schools to provide timely and complete annual report data and information may result in late fees or other disciplinary action in accordance with section [3332.09](#) of the Revised Code.

(C) Pursuant to section [3332.21](#) of the Revised Code, each school that is authorized to offer a certificate, diploma, or degree under a certificate of registration issued by the board shall annually provide to the board all of the following:

(1) Verification of current accreditation status and a copy of the most recent institutional report from the school's accrediting organization;

(2) A plan to preserve student records indefinitely in the event of closure of the school or discontinuation of service. The plan shall include a method by which students and alumni of the school may retrieve student records by request. The plan also shall include a designation and signed confirmation of an official custodian of student records. Student records preserved under the plan shall include, but not be limited to:

(a) Academic transcripts which must be preserved indefinitely;

(b) Financial aid documents which must be preserved for a period of five years after the student leaves the school;

(c) International student forms which must be preserved for a period of five years after the student leaves the school;

(d) Tax information collected by the school which must be preserved for a period of five years after the student leaves the school.

(3) The following program information:

(a) A list of current degree programs offered by the school in this state;

(b) The results of any external degree program evaluations conducted in the last year;

(c) A list of any degree programs that have been eliminated in the last year;

(4) At the request of the board, the latest financial statement for the most recent fiscal year compiled and audited by an independent certified public accountant, including any management letters provided by the independent auditor;

(5) Any other information requested by the board.

(D) If a school fails to submit the information required under division (A) of this section or if the board finds that the information submitted under that division is insufficient, the board may suspend, withdraw, or revoke a school's certificate of registration or program authorization.

(E) Each school subject to this chapter that is authorized to offer courses or degrees under a certificate of authorization shall immediately notify the board if the school does any of the following:

(1) Receives notice from the federal government or an institutional accrediting organization that the school is subject to heightened reporting standards or special monitoring status, such as the United States department of education's heightened cash monitoring process;

(2) Receives preliminary or final accreditation findings;

(3) Becomes the subject of an investigation by a government agency related to the school's academic quality, financial stability, or student consumer protection;

(4) Fails to make any payments to applicable retirement systems;

(5) Fails to make any scheduled payroll payments;

(6) Fails to make any payments to vendors when due as a result of a cash deficiency or a substantial deficiency in the payment processing system of the school;

(7) Fails to make any scheduled payment of principal or interest for short- or long-term debt;

(8) Makes budget revisions resulting in a substantially reduced ending fund balance or larger deficit;

(9) Becomes aware of significant negative variance between the most recently adopted annual budget and actual revenues or expenses as projected at the end of the fiscal year.

(F) A document received by the board under division (C)(1), (2), or (3) of this section that is confidential under federal law is not subject to release under a public records request until such time as the document is released publicly by the appropriate entity. Further, financial documentation of the school received by the board under this section is not a public record under section 149.43 of the Revised Code.