

Draft Borrower Defense to Repayment Language: Additional Aggressive Recruitment Categories

We propose the following additional categories of aggressive recruitment. The categories here are meant to supplement those previously submitted by the negotiators for state attorneys general.

“Aggressive Recruitment” means a post-secondary institution or their agents or contractors exerting unreasonable pressure or instituting policies that have the effect of admissions staff exerting unreasonable pressure upon a consumer to enroll in an institution. Without limiting the general application of the foregoing, the following conduct is a violation of this section:

[...]

- (p) Enrolling a student without providing a reasonable amount of time for the student to withdraw and obtain a full refund, and failing to inform the student about the availability of that time period;
- (q) Enrolling a student whose initial contact with the university occurred on a military installation at an event not sanctioned by the installation education office;
- (r) The use of a lead generator that was the subject of a law enforcement investigation, settlement, or judgment within the previous 5 years;
- (s) Enrolling a student using emotional manipulation or the asking of personal questions unrelated to the student’s career and educational goals;
- (t) Discouraging the borrower from consulting an adviser, a family member, or other resource; and
- (u) Failing to respond to the borrower’s requests for more information, including about the cost of the program and the nature of any financial aid.