

VERMONT

FINAL GRADING ANALYSIS

OVERALL SCORE: **184.25/700 POINTS (26.3%)**
 LETTER GRADE: **F**

I. OVERSIGHT BODY: **40/100 POINTS**

A. IS THERE A STATUTORILY CREATED OVERSIGHT
 BODY THAT IS PUBLICLY ACCOUNTABLE?
35/60 POINTS

Element	Points Available	Type 1	Type 2	Points Awarded (Average)
1. Oversight body is a multi-member board, commission, or panel created by statute	10	10	0	5
2. Oversight body was statutorily created specifically to oversee private postsecondary institutions	10	0	0	0
3. Multi-member board, commission, or panel is the ultimate decision maker (as opposed to a single person, like the head of a department or director)	10	10	0	5
4. Oversight body can engage in rulemaking	10	10	10	10
5. Oversight body's meetings must be open to the public	5	5	0	2.5
6. Oversight body's meetings must allow public comment	5	5	0	2.5
7. Oversight body can initiate investigations	5	5	5	5
8. Oversight body can impose penalties for violations	5	5	5	5
Total Points	60	50	20	35

Explanation:

The Vermont State Board of Education has authority to license and regulate degree-granting private postsecondary educational institutions (Type 1). Non-degree-granting private postsecondary educational institutions (Type 2) are businesses and as such are required to register with the Vermont Secretary of State.

Type 1: Degree-granting private postsecondary educational institutions. Degree-granting private postsecondary institutions in Vermont must apply for a certificate of approval from the State Board of Education prior to registering with the Secretary of State. The Board was not established specifically to

oversee degree-granting institutions; it has broad authority to establish and advance education policy for the State of Vermont. (16 V.S.A. § 164.) The Secretary has authority to investigate schools under the authority of the Board. (CVR 22-000-004(2243.8.3).) The Board is subject to Vermont’s Open Meetings Law. (1 V.S.A. §§ 310 et seq.) Its meetings must be open to the public, and it must give the public an opportunity to comment on its proceedings. (1 V.S.A. § 312(h).)



A Note of Caution. Prior to any action taken by the Board with respect to any application for degree-granting authority, the Board shall obtain the advice of the Vermont Higher Education Council, Incorporated (VHEC). (16 V.S.A. § 176(h).) VHEC is designated as the Vermont state postsecondary review entity for the purpose of reviewing all institutions of higher education that are eligible or which desire to become eligible for funding under 42 U.S.C. Chapter 34, Subchapter I, Part C (work study programs) or 20 U.S.C. Chapter 28, Subchapter IV (student assistance). (16 V.S.A. § 2881.) VHEC presents recommendations to the Commissioner with regard to granting degree-granting authority. Although the Board makes the final decision regarding whether or not to approve degree-granting authority, VHEC has substantial influence in the process. The Council is comprised of members of the industry over which it is mandated to exert influence with the governing authority. Generally, the expertise available should provide a benefit; however, this influence may also present a conflict if it should be exercised in a way to benefit institutional interests, particularly with regard to for-profit institutions, over those of the students.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law requires non-degree-granting, non-credit bearing private postsecondary institutions to register with the Secretary of State, these institutions are treated like any other business in the state. The Secretary of State is not a multi-member body; the Secretary of State is the ultimate decision maker.

B. STATUTE-SPECIFIED MEMBERSHIP:

1. TO WHAT EXTENT ARE LIMITATIONS PLACED ON FOR-PROFIT MEMBERSHIP ON THE OVERSIGHT BODY?

0/25 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Explicit prohibition on for-profit majority, plus no possibility of a majority of the quorum	Explicit prohibition on for-profit majority	Discouraged	No prohibition specified, but not discouraged	For-profit majority mandated
Type 1	25 Points	20 Points	10 Points	0 Points	-5 points
Type 2	25 Points	20 Points	10 Points	0 Points	-5 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. In addition to two secondary students who be appointed to the Board, the Board consists of 10 members must be “persons with a demonstrated commitment to ensuring quality education for Vermont students.” There are no prohibitions on including individuals affiliated with private for-profit educational institutions in the Board’s membership. (16 V.S.A. § 161)

Type 2: Non-degree-granting private postsecondary educational institutions. This element is not applicable here because the oversight body, the Secretary of State, is not a multi-member board.

2. IS THE OVERSIGHT BODY MANDATED TO INCLUDE AT LEAST ONE CONSUMER ADVOCATE?

0/10 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes	No
Type 1	10 Points	0 Points
Type 2	10 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. While a consumer advocate may be a “person with a demonstrated commitment to ensuring quality education for Vermont students,” as specified in 16 V.S.A. § 161, state law does not specifically mandate inclusion of an individual with expertise and experience in the area of consumer advocacy.

Type 2: Non-degree-granting private postsecondary educational institutions. This element is not applicable here because the oversight body, the Secretary of State, is not a multi-member board.

3. ARE THE MEMBERS APPOINTED BY A PUBLICLY ACCOUNTABLE OFFICIAL OR ELECTED IN A GENERAL ELECTION?

5/5 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	All	Majority	Half	Minority	None
Type 1	5 Points	3 Points	2.5 Points	1 Point	0 Points
Type 2	5 Points	3 Points	2.5 Points	1 Point	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. All members of the Board are appointed by the governor with the advice and consent of the senate. (16 V.S.A. § 161.)

Type 2: Non-degree-granting private postsecondary educational institutions. The Secretary of State is an elected official in Vermont.

II. STATE OVERSIGHT—EFFICACY: 23/100 POINTS

A. DOES THE STATE REQUIRE ONSITE REVIEW OF PRIVATE POSTSECONDARY INSTITUTIONS?

1.5/10 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Mandatory onsite reviews	Discretionary	None

	Every 2 years or less	Every 3-5 years	Over 5 years	Discretion to conduct onsite reviews	No review specified
Type 1	10 Points	8 Points	5 Points	3 Points	0 Points
Type 2	10 Points	8 Points	5 Points	3 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont has regulations in place that allow for discretionary onsite visits as a part of the process of review for both certificates of approval and for the Commissioner appoints a teams to review applications for certificates of approval, the teams may visit the institutions to verify information if necessary. (CVR 22-000-004(2243.1).) The Vermont Higher Education Council reviews applications for certificates of degree-granting authority and determines the accuracy of contents, if necessary, by visiting the schools. The Commissioner may also appoint independent reviewers to accompany representatives of the Higher Education Council reviewing the schools. (CVR 22-000-004(2243.2).)

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does not require regular onsite reviews of non-degree-granting private postsecondary institutions.

B. DOES THE STATE REQUIRE UNANNOUNCED INSPECTIONS FOR ONSITE REVIEWS?

0/5 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Required unannounced visits	Discretion to do unannounced visits	No indication
Type 1	5 Points	3 Points	0 Points
Type 2	5 Points	3 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law does not require or authorize unannounced inspections. In fact, in situations in which the Commissioner intends to visit a degree-granting institution in the course of an investigation, the institution must be notified. (CVR 22-000-004(2243.8.3).)

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does not require or authorize unannounced inspections.

C. DOES THE STATE REQUIRE REGULAR REVIEWS OF PRIVATE POSTSECONDARY APPROVAL TO OPERATE?

8/20 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Mandatory			Discretionary	None
	Every 2 years or less	Every 3-5 years	Over 5 years	Discretion to conduct reviews	No review specified
Type 1	20 Points	15 16 Points	10 Points	5 Points	0 Points
Type 2	20 Points	15 Points	10 Points	5 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. The Board may grant a certificate of approval or degree granting authority, or renewal thereof, for a period of time it deems reasonable and appropriate not to exceed five years. (CVR 22-000-004 (2243.7).) Postsecondary schools not chartered in Vermont must register annually with the State Board of Education by providing evidence of accreditation and approval by the state in which it primarily operates after initial approval. (16 V.S.A. § 176a(d).) The state receives 15 points because the Board’s certificates of approval or degree-granting authority are limited to a maximum of five years, and the state receives an additional point because postsecondary schools not chartered in Vermont must register more frequently.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does not require regular reviews of non-degree-granting private postsecondary institutions’ approval to operate.

D. DO THE CRITERIA FOR RENEWAL OF AUTHORIZATION MANDATE A REVIEW OF FACTORS ESSENTIAL TO ACADEMIC AND ETHICAL INTEGRITY?

3.5/20 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	8 of 8	7 of 8	6 of 8	5 of 8	4 of 8	3 of 8	2 of 8	1 of 8	0 of 8
Type 1	20 Points	17.5 Points	15 Points	12.5 Points	10 Points	7.5 Points	5.7 Points	2.5 Points	0 Points
Type 2	20 Points	17.5 Points	15 Points	12.5 Points	10 Points	7.5 Points	5 Points	2.5 Points	0 Points

Element	Type 1	Type 2
Admission requirements		
Graduation requirements	M	
Placement rate		
Completion rate (or graduation rate)		
Advertising practices	M	
Cohort default rate		
Accreditation status	D	
Financial aid policies	D	

M=Mandatory; D=Discretionary

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law states that certificates may be renewed on application in the same manner as originally issued. (16 V.S.A. § 176(f).)

The state requires review of graduation requirements (criteria for granting a degree) as a part of the review process related to an institution’s application for a certificate of degree-granting authority. (CVR 22-000-004 (2243.6.1).) State law requires that information institutions provide to students either directly or through advertisements be accurate and truthful (not false or misleading). (CVR 22-000-004 (2243.5.3).) State law requires institutions to make specified disclosure in a general catalogue, bulletin or other public information document provided to prospective students prior to enrollment. The disclosures must include information about accreditation and financial aid availability. The state receives partial credit for reviewing these elements because the state requires the disclosures in the catalog as a condition of authorization, therefore, while the state must review the catalog to ensure inclusion of the information, the state does not necessarily review the information itself as a part of the review process.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does not require review of any of the above-listed elements for non-degree-granting postsecondary institutions.

E. DOES THE STATE’S OVERSIGHT DISTINGUISH BETWEEN FOR-PROFIT AND NONPROFIT EDUCATIONAL INSTITUTIONS?

0/15 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes, strongly distinguished	Yes, moderately distinguished	Yes, slightly distinguished	Not distinguished
Type 1	15 Points	10 Points	5 Points	0 Points
Type 2	15 Points	10 Points	5 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law does not distinguish between for-profit and nonprofit educational institutions for the purposes of oversight and regulation of degree-granting institutions.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does not distinguish between for-profit and nonprofit educational institutions for the purposes of oversight and regulation of non-degree-granting institutions.

F. DOES THE STATE REQUIRE INCREASED OVERSIGHT/SCRUTINY OF PRIVATE POSTSECONDARY INSTITUTIONS BASED ON POOR PERFORMANCE?

0/10 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes, mandatory	Yes, mandatory but limited	Yes, discretionary	Yes, discretionary but limited	No
Type 1	10 Points	7.5 Points	5 Points	2.5 Points	0 Points
Type 2	10 Points	7.5 Points	5 Points	2.5 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law does not require

increased oversight/scrutiny of degree-granting private postsecondary institutions based on poor performance (low graduation rates, high cohort default rates, etc.).

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does not require increased oversight/scrutiny of non-degree-granting private postsecondary institutions based on poor performance (low graduation rates, high cohort default rates, etc.).

G. DOES STATE LAW INCLUDE ANY SPECIAL PROTECTIONS FOR VETERANS WHO ATTEND PRIVATE POSTSECONDARY INSTITUTIONS?

10/20 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes	No
Type 1	20 Points	0 Points
Type 2	20 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law requires institutions, as a condition of obtaining a certificate of approval, to include in a general catalog, bulletin or other public information document provided to prospective students prior to enrollment, an accurate representation of, and the distinction between, state VA-approving agency course approval and state certification. (CVR 22-000-004 (2243.5.3).)

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law has not enacted any special protections specifically for veterans who attend non-degree-granting private postsecondary institutions.

III. STATE OVERSIGHT—SCOPE AND INCLUSION:

50/100 POINTS

A. ARE EXEMPTIONS TO STATE OVERSIGHT COVERAGE LIMITED?

50/100 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	No exemptions	Few exemptions	Moderate exemptions	Broad exemptions
Type 1	100 Points	75 Points	50 Points	0 Points
Type 2	100 Points	75 Points	50 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law exempts several postsecondary institutions from approval and oversight by the Board. In particular, the state exempts postsecondary schools currently licensed or approved by a Vermont State occupational licensing board,

postsecondary schools that are accredited, and non-degree-granting and noncredit-granting postsecondary schools that offer only training in specific trades or vocations. (16 V.S.A. § 176)

Type 2: Non-degree-granting private postsecondary educational institutions. All businesses in the state of Vermont must register with the Secretary of State; no Non-degree-granting private postsecondary educational institutions are exempt from this requirement.

IV. DISCLOSURE REQUIREMENTS: **11.25/100 POINTS**

A. ARE INSTITUTIONS REQUIRED TO DISCLOSE INSTITUTIONAL PERFORMANCE MEASURES TO POTENTIAL STUDENTS?

5/20 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes, mandatory	Yes, discretionary	None
	Fact sheet or equivalent required to be given to students	Fact sheet or equivalent given to students upon request	No fact sheet required
Type 1	20 Points	10 Points	0 Points
Type 2	20 Points	10 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law does not require institutions to provide students with a fact sheet containing information related to institutional performance. However, institutions are required to provide students with a catalog, bulletin or other public information containing specified disclosures prior to enrollment. While none of the specified disclosures relate to institutional performance, institutions are required to provide students with accurate information and must be able to substantiate any claims regarding such matters as the likelihood of employment, graduate school admission or transfer of credit. (CVR 22-000-004 (2243.5.3).) Because this information may include information relating to institutional performance, the state receives partial credit.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law contains no disclosure requirements for non-degree-granting institutions.

B. WHICH INSTITUTIONAL PERFORMANCE DISCLOSURES ARE REQUIRED TO BE GIVEN TO STUDENTS PRIOR TO ENROLLMENT?

0/60 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

Type 1: Degree-granting private postsecondary educational institutions

Disclosures	Mandatory	Discretionary	Not specified
Cohort default rate (CDR)	10 Points	5 Points	0 Points
Graduation / completion rates	10 Points	5 Points	0 Points
Placement rates	10 Points	5 Points	0 Points
Wage information	10 Points	5 Points	0 Points

License exam passage rates	10 Points	5 Points	0 Points
Methods & sources used to calculate	10 Points	5 Points	0 Points

Explanation:

Vermont does not require degree-granting institutions to disclose any of the above-listed information to students prior to enrollment.

Type 2: Non-degree-granting private postsecondary educational institutions

Disclosures	Mandatory	Discretionary	Not specified
Cohort default rate (CDR)	10 Points	5 Points	0 Points
Graduation / completion rates	10 Points	5 Points	0 Points
Placement rates	10 Points	5 Points	0 Points
Wage information	10 Points	5 Points	0 Points
License exam passage rates	10 Points	5 Points	0 Points
Methods & sources used to calculate	10 Points	5 Points	0 Points

Explanation:

Vermont law contains no disclosure requirements for non-degree-granting institutions.

C. DOES THE STATE REQUIRE SCHOOLS TO DISCLOSE ELEMENTS
ESSENTIAL TO STUDENT PROTECTION PRIOR TO ENROLLMENT OR
IN THE ENROLLMENT CONTRACT?

6.25/20 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

Type 1: Degree-granting private postsecondary educational institutions

Element description	Mandatory	Discretionary	Not specified
Total cost of program	5 Points	2.5 Points	0 Points
Refund information	5 Points	2.5 Points	0 Points
Transferability of credits	5 Points	2.5 Points	0 Points
Length of program	5 Points	2.5 Points	0 Points

Explanation:

Degree-granting institutions are required to disclose specified information in a general catalog, bulletin or other public information document provided to prospective students prior to enrollment. The information must include, among other disclosures, information related to the length of the institution's programs (CVR 22-000-004 (2243.5.3.i)), and information about the institution's refund policy. (CVR 22-000-004 (2243.5.3.u)). Institutions are required to substantiate any claims regarding transfer of credit. (CVR 22-000-004 (2243.5.3).) The state receives partial credit for disclosing information about transferability of credits because it requires substantiation only where an institution makes claims about transferability.

Type 2: Non-degree-granting private postsecondary educational institutions

Element description	Mandatory	Discretionary	Not specified
Total cost of program	5 Points	2.5 Points	0 Points
Refund information	5 Points	2.5 Points	0 Points

Transferability of credits	5 Points	2.5 Points	0 Points
Length of program	5 Points	2.5 Points	0 Points

Explanation:

Vermont law does not mandate that non-degree-granting institutions provide any of the above disclosures to students.

V. REGULATION OF RECRUITING PRACTICES:

37.5/100 POINTS

A. HAS THE STATE PUT INTO LAW A LIST OF PROHIBITED ACTS REGARDING ADVERTISING AND RECRUITING?

37.5/100 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes, strong regulation	Yes, moderate regulation	Yes, weak regulation	No list of prohibited acts
Type 1	100 Points	75 Points	50 Points	0 Points
Type 2	100 Points	75 Points	50 Points	0 Points

PROHIBITED ACTS

Included in list of prohibited acts	Type 1	Type 2
Misleading representations using the word “college” or “university”		
Misleading institution affiliations (e.g., military, public institution, businesses)		
Promise of employment	X	
Compensation for enrollment		
Compensation or “bounty” to recruiters		
Deception (broad prohibition)	X	
Misrepresentation (broad prohibition)	X	
Misleading representations re: accreditation	X	

1-3=Weak; 3.5-6=Moderate; 6.5-8=Strong

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Information provided by the school to prospective students, either directly or through advertisements, shall not be false or misleading. The school shall be able to substantiate any claims regarding such matters as the likelihood of employment, graduate school admission, or transfer of credit. (CVR 22-000-004 (2243.5.3).) Vermont law also requires institutions to disclose to potential students prior to enrollment an accurate representation of, and the distinction between, school accreditation, institutional memberships in professional organizations, specialized or professional program accreditation, state VA-approving agency course approval and state certification. (CVR 22-000-004 (2243.5.3.t).)



Notably: Vermont law requires institutions to provide potential students, prior to enrollment, information regarding their closing policy, procedures that will be followed in the event a determination is made to cease operation. (CVR 22-000-004 (2243.5.3.v).)

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does contain prohibitions specific to non-degree-granting institutions.

**VI. COMPLAINT PROCESS AND RELIEF FOR STUDENTS:
12.5/100 POINTS**

A. DOES THE STATE REQUIRE A BOND OR FUND
AS A CONDITION OF AUTHORIZATION?

0/20 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes	No
Type 1	20 Points	0 Points
Type 2	20 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law does not require a bond or a fund (such as a tuition protection fund) as a condition of authorization.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does not require a bond or a fund (such as a tuition protection fund) as a condition of authorization.

B. DOES THE STATE REQUIRE A REFUND OF TUITION IF A STUDENT
ENROLLS AS THE RESULT OF MISREPRESENTATION?

0/20 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes, full refund	Yes, partial refund	No refund required
Type 1	20 Points	10 Points	0 Points
Type 2	20 Points	10 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law does not explicitly require degree-granting institutions to provide a full tuition refund if a student enrolls as the result of misrepresentation.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does not explicitly require non-degree-granting institutions to provide a full tuition refund if a student enrolls as the result of misrepresentation.

C. DOES THE STATE REQUIRE INSTITUTIONS TO REFUND
TUITION IN THE EVENT OF CLOSURE?

0/20 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes, full refund	Yes, partial refund	Yes, refund in limited circumstances	No refund required
Type 1	20 Points	15 Points	10 Points	0 Points
Type 2	20 Points	15 Points	10 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law requires institutions to disclose to potential students their closing policy, procedures that will be followed if a determination is made to cease operation. (CVR 22-000-004 (2243.5.3.v).) It does not, however, explicitly require institutions to refund tuition upon closure.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law contains no explicit requirement for institutions to refund tuition upon closure.

D. DOES THE STATE ALLOW STUDENTS AMPLE TIME TO MAKE A COMPLAINT?

10/10 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	2 years or more (or no deadline)	1-2 years	Under 1 year	Not applicable
Type 1	10 Points	5 Points	1 Point	0 Points
Type 2	10 Points	5 Points	1 Point	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law does not specify a timeframe or deadline by which students at degree-granting institutions must file a complaint.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does not specify a timeframe or deadline by which students at non-degree-granting institutions must file a complaint.

E. DOES THE STATE REQUIRE INSTITUTIONS TO DISCLOSE INFORMATION ABOUT FILING A COMPLAINT WITH THE STATE OVERSIGHT BODY?

0/20 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

Type 1: Degree-granting private postsecondary educational institutions.

Medium	Mandatory	Discretionary	Not specified
Catalog	10 Points	5 Points	0 Points
Website	5 Points	2.5 Points	0 Points
Enrollment contract	5 Points	2.5 Points	0 Points

Explanation:

Vermont law does not require institutions to disclose information about filing a complaint with the Board.

Type 2: Non-degree-granting private postsecondary educational institutions.

Medium	Mandatory	Discretionary	Not specified
Catalog	10 Points	5 Points	0 Points
Website	5 Points	2.5 Points	0 Points
Enrollment contract	5 Points	2.5 Points	0 Points

Explanation:

Vermont law does not require institutions to disclose information about filing a complaint with the Secretary of State.

F. IS THE COMPLAINT PROCESS READILY ACCESSIBLE AND AVAILABLE ON THE STATE OVERSIGHT BODY’S WEBSITE?

2.5/10 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes, with address	Yes, with phone #	Yes, with email address	Yes, with electronic form	No
Type 1	2 Points	2 Points	3 Points	3 Points	0 Points
Type 2	2 Points	2 Points	3 Points	3 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. The Board maintains a website on which students can find information on filing a complaint about degree-granting institutions under the authority of the Board. The document strongly encourages students to try to resolve the complaint with the institution before taking any further steps. Should the student need to file a complaint, there is a phone number and an email address the student can use to obtain guidance on how to file a complaint with the Board.

Type 2: Non-degree-granting private postsecondary educational institutions. Students may be able to file a complaint with the Secretary of State or with the attorney general, however, neither site has an easily located and easily accessible link to a complaint form or any information specific to non-degree-granting institutions.

VII. ENFORCEMENT: 10/100 POINTS

A. IS THERE LOSS OF STATE AID FOR SCHOOLS THAT REPEATEDLY PRODUCE SUBSTANDARD GRADUATION RATES, JOB PLACEMENT RATES, AND/OR COHORT DEFAULT RATES?

0/30 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes, required	Yes, required but limited	Yes, discretionary	Yes, discretionary but limited	No

Type 1	30 Points	20 Points	15 Points	5 Points	0 Points
Type 2	30 Points	20 Points	15 Points	5 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law does not mandate any loss of state aid to degree-granting institutions that repeatedly produce substandard graduation rates, job placement rates, and/or cohort default rates.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does not mandate any loss of state aid to degree-granting institutions that repeatedly produce substandard graduation rates, job placement rates, and/or cohort default rates.

B. DOES STATE LAW EXPLICITLY AUTHORIZE A PRIVATE RIGHT OF ACTION FOR STUDENTS AGAINST INSTITUTIONS THAT HAVE VIOLATED THE LAWS AND REGULATIONS IN PLACE TO GOVERN THEM?

0/30 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes	Limited circumstances	No
Type 1	30 Points	15 Points	0 Points
Type 2	30 Points	15 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law does not explicitly authorize a private right of action for students against degree-granting institutions that have violated the laws and regulations in place to govern them.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont does not explicitly authorize a private right of action for students against non-degree-granting institutions that have violated the laws and regulations in place to govern them.

C. DOES STATE LAW EXPLICITLY ALLOW ATTORNEY FEE AWARDS FOR STUDENTS WHO PREVAIL IN LITIGATION AGAINST PRIVATE FOR-PROFIT POSTSECONDARY INSTITUTIONS?

0/20 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes	Limited	No
Type 1	20 Points	15 Points	0 Points
Type 2	20 Points	15 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law does not explicitly allow attorney fee awards for students who prevail in litigation against degree-granting institutions that have violated the laws and regulations in place to govern them.

Type 2: Non-degree-granting private postsecondary educational institutions. Vermont law does not explicitly allow attorney fee awards for students who prevail in litigation against non-degree-granting institutions that have violated the laws and regulations in place to govern them.

**D. DOES STATE LAW EXPLICITLY AUTHORIZE
ATTORNEY GENERAL INVOLVEMENT?**

10/20 POINTS*

**points for Type 1 and Type 2 schools have been averaged to calculate the above score*

	Yes	Limited circumstances	No
Type 1	20 Points	10 Points	0 Points
Type 2	20 Points	10 Points	0 Points

Explanation:

Type 1: Degree-granting private postsecondary educational institutions. Vermont law explicitly authorizes attorney general involvement in the enforcement of the laws governing degree-granting institutions. (16 V.S.A. § 176(k).)

Type 2: Non-degree-granting private postsecondary educational institutions. The attorney general likely has authority here where consumer protection issues become an issue (under Vt. Stat. Ann. tit. 9, § 2453 et seq.); however, there is no explicit authorization specifically related to the enforcement of laws governing non-degree-granting institutions beyond the authority to enforce consumer protection laws that would be in place for any business in the state.

BONUS POINTS:

Vermont does not receive any bonus points.



ILLUMINATING INFORMATION



PENDING LEGISLATION

RECIPROCITY AGREEMENTS

Vermont is a member of the State Authorization Reciprocity Agreements (SARA).

**LITIGATION, INVESTIGATIONS, AND ACTIONS INVOLVING PRIVATE
FOR-PROFIT EDUCATIONAL INSTITUTIONS IN VERMONT**

For information about pending and recent federal and state government investigations and actions regarding for-profit colleges see David Halperin's compilation at <http://www.republicreport.org/2014/law-enforcement-for-profit-colleges/#sthash.1vc4HmPw.dpuf>.