

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 294

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO PROPRIETARY SCHOOLS; AMENDING CHAPTER 24, TITLE 33, IDAHO CODE,  
2 BY THE ADDITION OF A NEW SECTION 33-2410, IDAHO CODE, TO ESTABLISH PRO-  
3 VISIONS RELATING TO REQUIRED DISCLOSURES BY PROPRIETARY SCHOOLS TO  
4 STUDENTS, TO ESTABLISH PROVISIONS RELATING TO RESCINDING A CONTRACT, TO  
5 PROVIDE FOR REFUNDS AND TO DEFINE TERMS.  
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 24, Title 33, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 33-2410, Idaho Code, and to read as follows:

11 33-2410. PROPRIETARY SCHOOL DISCLOSURES TO STUDENTS. (1) At least  
12 thirty (30) days before any student enters into any contract or binding  
13 agreement of any kind with any proprietary school for any course of study,  
14 the school must provide the student with a written disclosure of information  
15 required pursuant to this section and the student must sign a dated document  
16 indicating that the student has received such disclosure and be provided a  
17 complete copy of the disclosure.

18 (2) The written disclosure of information required pursuant to this  
19 section shall relate to the course of study selected by the student and shall  
20 include:

21 (a) The name of the course of study, the number of hours per week and  
22 number of weeks required for successful completion of the course;

23 (b) The cost of the course of study charged by the school, the estimated  
24 cost of any required books or equipment and any related reasonably fore-  
25 seeable costs;

26 (c) The number of years that the course of study has been offered by the  
27 school and the date the preceding course of study began at the school;

28 (d) The number of students who were enrolled on the first day of the last  
29 preceding course of study by the school and, if the course of study is  
30 still in progress, the number of students originally enrolled who are  
31 still enrolled on the date of the disclosure delivered pursuant to this  
32 section;

33 (e) The number of students who have completed the immediately preceding  
34 completed course of study; and

35 (f) Regarding those who have completed the course of study identified  
36 in subsection (2) (e) of this section, the number of such students who at  
37 the time of this disclosure have a full-time paying job directly related  
38 to the skills acquired in the course of study and, if reasonably avail-  
39 able, the number of students who have a part-time paying job directly  
40 related to the skills acquired in the course of study. The information  
41 provided pursuant to this paragraph shall include the following:

42 (i) How the school obtained such information;

1 (ii) The location, including the municipality, state and country,  
2 where such students are employed; and

3 (iii) How long, in years or months, such students have been em-  
4 ployed in the job.

5 (3) For purposes of this section, the following terms have the follow-  
6 ing meanings:

7 (a) "A job directly related to the skills acquired in the course of  
8 study" means a job requiring the specific, particular and unique skills  
9 obtained by the student through the core emphasis of the course of  
10 study.

11 (b) "Full-time paying job" means a job requiring on average, during any  
12 twelve (12) month period, not less than thirty-five (35) hours of work  
13 per week.

14 (c) "Part-time paying job" means a job requiring on average, during any  
15 twelve (12) month period, less than thirty-five (35) hours of work per  
16 week.

17 (4) In addition to the disclosures required in subsection (2) of this  
18 section, the school shall provide the following specific general disclo-  
19 sures in bold and conspicuous type:

20 "YOU ARE ADVISED THAT ANY LOANS YOU OBTAIN MUST BE REPAID BY YOU AND  
21 THAT SUCH LOANS WILL EARN INTEREST AND MIGHT NOT BE DISCHARGEABLE IN  
22 A BANKRUPTCY, WHICH MEANS YOU WOULD HAVE TO REPAY THE LOAN EVEN IF  
23 YOU FILE BANKRUPTCY."

24 "YOU SHOULD CAREFULLY CHECK THE REQUIREMENTS FOR ANY OCCUPATION YOU  
25 WISH TO ENTER TO BE SURE YOU ARE ELIGIBLE FOR EMPLOYMENT IF YOU COM-  
26 PLETE THE COURSE OF STUDY."

27 "IF YOU PLAN TO USE CREDITS FROM THIS SCHOOL AT ANOTHER SCHOOL,  
28 YOU SHOULD VERIFY WITH THE OTHER SCHOOL TO BE SURE THE CREDITS ARE  
29 TRANSFERRABLE."

30 (5) The failure of any educational institution to provide this disclo-  
31 sure as provided herein, entitles a student to rescind any contract or bind-  
32 ing agreement of any kind until thirty (30) days after such disclosure has  
33 been provided and, if rescinded, to receive a full refund of any amount paid  
34 by the student. Any amount paid on behalf of the student shall be refunded to  
35 the entity paying such amount. This provision shall be included in its en-  
36 tirety in any disclosure made pursuant to this section.