



UNIVERSITY POLICY AC-44.00-10/23

TO: The University of West Florida Community

FROM: Dr. Martha D. Saunders, President

SUBJECT: Student Recruitment Activities

RESPONSIBLE OFFICE: Enrollment Affairs

I. Purpose:

The University of West Florida (the “University”) is committed to maintaining the highest standards of integrity and ethics in its student recruiting practices. This policy ensures compliance with federal laws and regulations regarding ethical recruitment and enrollment activities, including Section 487(a)(20) of the Higher Education Act (“HEA”) and the Education Partnership Memorandum of Understanding between the University and the United States Department of Defense.

II. Scope:

This policy applies to all University personnel, agents, third-party vendors, and independent contractors who recruit students, engage in admission activities, or make decisions regarding the awarding of financial assistance to students.

III. Definitions:

DOE – United States Department of Education

Incentive Compensation – compensation based on student academic enrollment or performance, and includes commissions, bonus payments, merit salary adjustments, and promotion decisions, including but not limited to commissions, bonuses, or other payments or compensation other than a fixed salary or wages paid to or given to a person or an entity for services rendered.

Securing enrollments or the award of financial aid – activities that a person or entity engages in at any point in time through completion of an educational program for the purpose of the admission or matriculation of students for any period of time or the award of financial aid to students.

III. Policy:

A. University Admissions Recruitment Standards and Practices

All University personnel - including personnel responsible for arrangements or contracts with third-party vendors and independent contractors for activities that involve the recruitment of, enrollment of, or award of financial aid to students - must ensure that those activities are compliant with this policy and the University's Recruitment Brand Portal's Standard Operating Procedures, Admissions Recruitment Standards and Practices (the "SOP"). The SOP must be followed along with all other applicable laws, regulations, and policies necessary for the activities.

B. Restricted Activities

University employees and those acting on behalf of the University are prohibited from the following activities:

1. Providing any form of Incentive Compensation for:
 - a. recruitment or admissions activities related to success in securing student enrollments; or
 - b. making decisions regarding the awarding of Title IV HEA program funds.
2. The use of high-pressure recruitment tactics, including but not limited to making multiple unsolicited contacts (three or more) in any one month by phone, email, or in-person, and engaging in same-day recruitment and registration for the purpose of securing enrollments.

C. Non-Restricted Activities

1. In accordance with the HEA, the restrictions in this policy do not apply to the recruitment of foreign students residing in foreign countries who are not eligible to receive Federal student assistance.
2. DOE guidance on the prohibition on incentive compensation, including frequently asked questions and examples of activities and types of payments that are subject to the prohibition and those that are exempt, is available at:
<https://www2.ed.gov/policy/highered/reg/hearulemaking/2009/compensation.html>

D. Exclusions

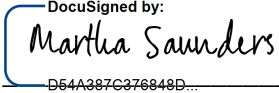
The prohibition on incentive compensation does *not* include the following:

1. Merit-based adjustments to employee compensation, provided that such adjustments are not based in any part, directly or indirectly, upon success in securing enrollments or the award of financial aid;
2. Profit-sharing payments, so long as such payments are not provided to any person or entity engaged in student recruitment or admission activity or in making decisions regarding the award of Title IV HEA program funds;
3. Payments to faculty based on the size of classes taught or on student achievement; and
4. Educational institution sponsored scholarships or grants and tuition reductions available to military students and veterans.

E. Agreements with Third-Party Vendors

These restrictions extend to payments to third-party entities or independent contractors; however, specific rules may apply if the vendor is providing bundled activities that include restricted as well as other activities.

All third-party agreements must be reviewed and approved by the Office of the General Counsel to ensure they do not include incentive payments in violation of this policy.

Approved by:  **Date:** 10/04/2023
Dr. Martha D. Saunders

Authority: Section 487(a)(20) of the Higher Education Act of 1965, as amended
34 CFR Part 668.14(b)(22)
34 CFR 668.71-668.75
U.S. Department of Defense Education Partnership Memorandum of Understanding with the University of West Florida

Cross Ref.: N/A

History: Approved October 2023

Last Review: October 2023