

Tab 11 Attachment B

Proposed Consumer Information Rule Revision

**Title 6—DEPARTMENT OF
HIGHER EDUCATION AND WORKFORCE DEVELOPMENT
Division 10—Commissioner
of Higher Education
Chapter 9—Consumer Information**

6 CSR 10-9.010 Rules for the Posting of Consumer Information

PURPOSE: This rule describes the information that public institutions of higher education must post on their web sites.

(1) Definitions.

(A) The term “course” shall mean any regularly scheduled instructional activity:

1. For which, upon successful completion thereof, enrolled students are given credit that can be applied to meet the requirements for achieving a degree, certificate, or similar academic award; or

2. That provides remedial instruction to students enrolled in the institution;

3. But need not include thesis or dissertation supervision; independent study; directed study or reading courses; internship supervision; individual lessons, mentoring, or supervised experiences; or any other similar activity with such a low number of enrolled students as to allow respondents to be personally identified.

(B) The term “course information” shall include a schedule listing all courses that will be offered during an academic term, all sections of each course, the name(s) and credentials of the faculty member(s) who will teach each class, and the time and location at which each course will be offered.

(C) The term “credentials” shall include the highest post-secondary degree or certificate earned by the faculty member and the faculty member’s rank-title (e.g., full professor, adjunct professor, part-time professor, graduate student, graduate assistant and/or teaching assistant).

(D) The term “department” means the Missouri Department of Higher Education and Workforce Development.

~~(DE) The terms “faculty” and “faculty member” shall refer to each person assigned full or partial responsibility for delivery of academic course(s) at a Missouri public higher education institution and includes but is not limited to the following categories: adjunct, part time, and full time instructors and lecturers; and graduate students and graduate assistants who teach all or part of any course. The terms “faculty” and “faculty member” shall not include guest speakers, tutors, and practicum or internship supervisors.~~

(EF) The term “feasible” shall mean capable of being performed.

(FG) The terms “instructor ratings by students” and “ratings” shall mean ~~certain~~ evaluative information, as designated by each institution, collected at least annually, provided by students enrolled in a course about the performance of the faculty member(s) responsible for delivery of all or part of the course. Ratings posted on an institution’s web site need not include all information collected in regularly conducted evaluations of faculty by students and may consist of information gathered specifically for publication on the institution’s web site.

(GH) The term “post” shall mean to publish on an institution’s web site.

(HI) The terms “public higher education institution” and “institution” shall mean an ~~educational—approved public~~ institution as defined in section ~~173.205.2—or 173.205.3~~ 173.1102, RSMo.

(IJ) The term “section” shall mean:

1. In cases where more than one (1) course with the same prefix, course number, and course title are offered, each distinct offering in which students may enroll; and/or

2. Each separate subdivision within one (1) course in which students break into groups in a formal manner to discuss and/or practice course content.

(2) Each institution shall post each of the following on a portion of its web site that is available to the general public without a login, student ID, user ID, or other password, except that no institution shall be required to post any item the publication of which would constitute a violation of state or federal law:

(A) The Names and Credentials of all Faculty Members. This information must be posted no later than the first day of the first academic term starting on or after August 1, 2008, and for each academic term thereafter.

~~(B) Each Faculty Member’s Credentials. This information must be posted no later than the first day of the first academic term starting on or after August 1, 2008, and for each academic term thereafter.~~

~~(CB) All Course Information. This information must be posted before enrollment begins for the first academic term starting on or after August 1, 2008, and every academic term thereafter. Course information must thereafter be posted no No later than ten (10) calendar days before the first day that any student may enroll for the next academic term; all available course information for the next academic term.~~ If course information is not available ten (10) calendar days before the first day that any student may enroll for the next academic term, the institution shall post the information on its web site as soon as the information is available. If course information changes at any time before the conclusion of the semester, the institution must update its web site to reflect the change(s). ~~This information must be posted before enrollment begins for the first academic term starting on or after August 1, 2008, and every academic term thereafter.~~

(3) Where feasible, each institution shall post on its web site instructor ratings by students, except that no institution shall be required to post any item the publication of which would constitute a violation of state or federal law.

(A) The ratings must include a faculty member’s ratings for multiple academic terms, including the most recent ratings available.:

~~1. The most recent ratings available; or~~

~~2. A faculty member's ratings for multiple academic terms, whether data for each term are presented separately or in aggregate form, so long as the ratings posted include the most recent ratings available.~~

(B) Each institution may determine whether to post each faculty member's ratings:

1. As an aggregate representing ratings received for all courses taught by that faculty member; or

2. For each individual course taught by the faculty member.

(C) Institutions need not post ratings of faculty members who are teaching for the first time at the institution if no such ratings exist.

(D) If an institution decides to post ratings for each individual course taught by the faculty member and a faculty member is teaching a course for the first time, the institution need not post ratings for that course if no such ratings exist.

(E) This information must be posted at least ten (10) calendar days before the first day that any student may enroll for the next academic term, starting with the first academic term starting on or after August 1, 2009, and every academic term thereafter.

(F) If the ~~Missouri Department of Higher Education~~ (department) determines that the ratings posted by an institution do not provide sufficient information as prescribed by the authorizing statute and this rule, that institution shall work cooperatively with the department to develop ratings that do ~~provide information the department deems sufficient~~ comply with the requirements of the authorizing statute and this rule.

(G) Ratings must be posted on a portion of the institution's web site that may be viewed by currently enrolled students and by all new students participating in the enrollment process at the institution.

AUTHORITY: section 173.1004, RSMo Supp. 2007. Original rule filed Oct. 25, 2007, effective May 30, 2008.*

**Original authority: 173.1004, RSMo 2007.*