

ESHB 2381 - S COMM AMD
By Committee on Higher Education

ADOPTED 03/04/2004

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 28B.85.020 and 1996 c 305 s 1 are each amended to
4 read as follows:

5 (1) The board:

6 (a) Shall adopt by rule minimum standards for degree-granting
7 institutions concerning granting of degrees, quality of education,
8 unfair business practices, financial stability, and other necessary
9 measures to protect citizens of this state against substandard,
10 fraudulent, or deceptive practices. The board shall adopt the rules in
11 accordance with chapter 34.05 RCW;

12 (b) May investigate any entity the board reasonably believes to be
13 subject to the jurisdiction of this chapter. In connection with the
14 investigation, the board may administer oaths and affirmations, issue
15 subpoenas and compel attendance, take evidence, and require the
16 production of any books, papers, correspondence, memorandums, or other
17 records which the board deems relevant or material to the
18 investigation. The board, including its staff and any other authorized
19 persons, may conduct site inspections, the cost of which shall be borne
20 by the institution, and examine records of all institutions subject to
21 this chapter;

22 (c) Shall develop an interagency agreement with the work force
23 training and education coordinating board to regulate degree-granting
24 private vocational schools with respect to degree and nondegree
25 programs; and

26 (d) Shall develop and disseminate information to the public about
27 entities that sell or award degrees without requiring appropriate
28 academic achievement at the postsecondary level, including but not
29 limited to, a description of the substandard and potentially fraudulent
30 practices of these entities, and advice about how the public can

1 recognize and avoid the entities. To the extent feasible, the
2 information shall include links to additional resources that may assist
3 the public in identifying specific institutions offering substandard or
4 fraudulent degree programs.

5 (2) Financial disclosures provided to the board by degree-granting
6 private vocational schools are not subject to public disclosure under
7 chapter 42.17 RCW.

8 **Sec. 2.** RCW 28B.85.040 and 1996 c 97 s 1 are each amended to read
9 as follows:

10 (1) An institution or person shall not advertise, offer, sell, or
11 award a degree or any other type of educational credential unless the
12 student has enrolled in and successfully completed a prescribed program
13 of study, as outlined in the institution's publications. This
14 prohibition shall not apply to honorary credentials clearly designated
15 as such on the front side of the diploma or certificate and awarded by
16 institutions offering other educational credentials in compliance with
17 state law.

18 (2) No exemption granted under this chapter is permanent. The
19 board shall periodically review exempted degree-granting institutions,
20 and continue exemptions only if an institution meets the statutory
21 requirements for exemption in effect on the date of the review.

22 (3) Except as provided in subsection (1) of this section, this
23 chapter shall not apply to:

24 (a) Any public college, university, community college, technical
25 college, or institute operating as part of the public higher
26 educational system of this state;

27 (b) Institutions that have been accredited by an accrediting
28 association recognized by the agency for the purposes of this chapter:
29 PROVIDED, That those institutions meet minimum exemption standards
30 adopted by the agency; and PROVIDED FURTHER, That an institution,
31 branch, extension, or facility operating within the state of Washington
32 which is affiliated with an institution operating in another state must
33 be a separately accredited member institution of any such accrediting
34 association to qualify for this exemption;

35 (c) Institutions of a religious character, but only as to those

1 education programs devoted exclusively to religious or theological
2 objectives if the programs are represented in an accurate manner in
3 institutional catalogs and other official publications; ((~~or~~))

4 (d) Honorary credentials clearly designated as such on the front
5 side of the diploma or certificate awarded by institutions offering
6 other educational credentials in compliance with state law; or

7 (e) Institutions not otherwise exempt which offer only workshops or
8 seminars (~~lasting no longer than three calendar days and for which~~
9 ~~academic credit is not awarded~~) and institutions offering only credit-
10 bearing workshops or seminars lasting no longer than three calendar
11 days."

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12 On page 1, line 2 of the title, after "education;" strike the
13 remainder of the title and insert "and amending RCW 28B.85.020 and
14 28B.85.040."

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