

# FINAL BILL REPORT

## ESHB 2507

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Synopsis as Enacted

**Brief Description:** Prohibiting false or misleading college degrees.

**Sponsors:** By House Committee on Higher Education & Workforce Education (originally sponsored by Representatives Kenney, Shabro, Hasegawa, Morrell, Rodne, Lantz and Ormsby).

**House Committee on Higher Education & Workforce Education**  
**Senate Committee on Early Learning, K-12 & Higher Education**

### **Background:**

Washington law prohibits a private degree-granting institution from "operating" in Washington unless it has been approved by the Higher Education Coordinating Board (HECB). The definition of "operate" is broad. An institution of higher education "operates" in Washington if it does any of the following things:

- offers courses to Washington residents (including offering courses electronically);
- grants or offers to grant a degree to a Washington resident (including advertising or publicizing that the institution offers the degree); or
- maintains or advertises that the institution has a Washington location, mailing address, or phone number.

If an institution operates in Washington without approval of the HECB, the entity and its owners, officers, and employees are guilty of a gross misdemeanor. They may be punished by up to a \$1,000 fine and/or up to one year in jail.

Washington law also directs the HECB to develop and publish information to the public regarding entities that sell or award fraudulent degrees.

In 2005 Washington enacted a law that prohibits certificated educational staff in the K-12 system from using credits earned from an unaccredited institution to move up the salary schedule. A certificated staff who submits a degree from an unaccredited institution for the purpose of receiving a pay increase may be: (1) fined \$300 by the Office of the Superintendent of Public Instruction, and (2) required to pay back any increased compensation received due to the degree.

### **Summary:**

A degree-granting institution operating in Washington must: (1) be accredited by an accrediting agency recognized by the United States Department of Education; (2) have an

application for accreditation pending; or (3) have been granted a waiver or exemption by the HECB from the accreditation requirement.

Offering or granting a "false academic credential" is prohibited. A false academic credential is a document that evidences or demonstrates that a person completed a course of instruction or program beyond the secondary level that was not issued by an institution: (1) accredited by a nationally recognized accrediting agency; (2) that has an accreditation application pending; or (3) that has been granted a waiver or exemption by the HECB. A person who offers or grants false academic credentials is guilty of a class C felony and also violates Washington's Consumer Protection Act.

A person is prohibited from knowingly using a false academic credential to: (1) advertise or promote a business; (2) obtain employment, a license or certificate, a promotion, compensation or other employment benefit, or admission to an education program in this state; or (3) a position in government with authority over another person. A person who knowingly uses a false academic credential in violation of these provisions is guilty of a gross misdemeanor.

The terms "grant," "offer," and "operate" are defined. "Grant" means award, bestow, confer, convey, sell or give. "Offer" means, in addition to its usual meanings, advertise, publicize, or solicit. To "operate" means to offer, for degree credit, courses (including via correspondence or electronically) to any Washington location, to grant or offer to grant degrees in Washington, or to maintain or advertise a Washington location, address, computer server, or telephone number (except for the purpose of communicating with alumni).

**Votes on Final Passage:**

House	98	0	
Senate	49	0	(Senate amended)
House Refuses to Concur			
Senate			(Senate receded)
Senate	46	0	(Senate amended)
House	98	0	(House concurred)

**Effective:** June 7, 2006