

HB 1736 - S COMM AMD
By Committee on Higher Education

ADOPTED AS AMENDED 04/17/2013

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

3 "NEW SECTION. **Sec. 1.** (1) In order to enhance the efficiency and
4 effectiveness of operations of institutions of higher education, the
5 office of financial management shall work with the department of
6 enterprise services, the department of transportation, the department
7 of commerce, institutions of higher education, and others as necessary
8 to comprehensively review reporting requirements related to the
9 provisions in RCW 19.27A.020, 19.27A.150, 70.235.020, 39.35D.020,
10 43.19.565, 43.41.130, 47.01.440, 70.94.151, 70.94.161, 70.94.527,
11 70.120A.010, 70.120A.050, 70.235.030, 70.235.040, 70.235.050,
12 70.235.060, 70.235.070, 80.80.030, 80.80.040, and 80.80.080. By
13 September 1, 2014, the office of financial management shall report to
14 the governor and the higher education committees of the legislature.
15 The report shall include recommendations for coordinating and
16 streamlining reporting, and promoting the most efficient use of state
17 resources at institutions of higher education.

18 (2) This section expires August 1, 2015.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.10 RCW
20 to read as follows:

21 (1) Institutions of higher education and state higher education
22 agencies may use or accept secure electronic signatures for any human
23 resource, benefits, or payroll processes that require a signature.
24 Such signatures are valid and enforceable.

25 (2) The definitions in this subsection apply throughout this
26 section.

27 (a) "Electronic signature" means an electronic sound, symbol, or
28 process, attached to, or logically associated with, a contract or other

1 record and executed or adopted by a person with the intent to sign the
2 record.

3 (b) "Secure electronic signature" means an electronic signature
4 that:

5 (i) Is unique to the person making the signature;

6 (ii) Uses a technology or process to make the signature that is
7 under the sole control of the person making the signature;

8 (iii) Uses a technology or process that can identify the person
9 using the technology or process; and

10 (iv) Can be linked with an electronic record in such a way that it
11 can be used to determine whether the electronic record has been changed
12 since the electronic signature was incorporated in, attached to, or
13 associated with the electronic record.

14 **Sec. 3.** RCW 28B.85.020 and 2012 c 229 s 543 are each amended to
15 read as follows:

16 (1) The council:

17 (a) Shall adopt by rule, in accordance with chapter 34.05 RCW,
18 minimum standards for degree-granting institutions concerning granting
19 of degrees, quality of education, unfair business practices, financial
20 stability, and other necessary measures to protect citizens of this
21 state against substandard, fraudulent, or deceptive practices. The
22 rules shall require that an institution operating in Washington:

23 (i) Be accredited;

24 (ii) Have applied for accreditation and such application is pending
25 before the accrediting agency;

26 (iii) Have been granted a waiver by the council waiving the
27 requirement of accreditation; or

28 (iv) Have been granted an exemption by the council from the
29 requirements of this subsection (1)(a);

30 (b) May investigate any entity the council reasonably believes to
31 be subject to the jurisdiction of this chapter. In connection with the
32 investigation, the council may administer oaths and affirmations, issue
33 subpoenas and compel attendance, take evidence, and require the
34 production of any books, papers, correspondence, memorandums, or other
35 records which the council deems relevant or material to the
36 investigation. The council, including its staff and any other

1 authorized persons, may conduct site inspections, the cost of which
2 shall be borne by the institution, and examine records of all
3 institutions subject to this chapter;

4 (c) May negotiate and enter into interstate reciprocity agreements
5 with other state or multistate entities if the agreements are
6 consistent with the purposes in this chapter as determined by the
7 council;

8 (d) May enter into agreements with degree-granting institutions of
9 higher education based in this state, that are otherwise exempt under
10 the provisions of subsection (1)(a) of this section, for the purpose of
11 ensuring consistent consumer protection in interstate distance delivery
12 of higher education;

13 (e) Shall develop an interagency agreement with the workforce
14 training and education coordinating board to regulate degree-granting
15 private vocational schools with respect to degree and nondegree
16 programs; and

17 ~~((d))~~ (f) Shall develop and disseminate information to the public
18 about entities that sell or award degrees without requiring appropriate
19 academic achievement at the postsecondary level, including but not
20 limited to, a description of the substandard and potentially fraudulent
21 practices of these entities, and advice about how the public can
22 recognize and avoid the entities. To the extent feasible, the
23 information shall include links to additional resources that may assist
24 the public in identifying specific institutions offering substandard or
25 fraudulent degree programs.

26 (2) Financial disclosures provided to the council by degree-
27 granting private vocational schools are not subject to public
28 disclosure under chapter 42.56 RCW."

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29 On page 1, line 1 of the title, after "efficiencies;" strike the
30 remainder of the title and insert "amending RCW 28B.85.020; adding a

1 new section to chapter 28B.10 RCW; creating a new section; and
2 providing an expiration date."

EFFECT: Clarifies that an electronic signature must be executed or adopted by a person with the intent to sign the signature. Specifies that a secure electronic signature must be unique to the person making the signature; use a technology or a process that is under the sole control of the person signing and can identify the person signing; and can be linked with an electronic record in order to determine whether the record has been changed since it was signed.

Changes the date OFM must report recommendations for coordinating and streamlining reporting to the governor and the legislature from December 1, 2013, to September 1, 2014. Changes the section expiration date from July 1, 2014, to August 1, 2015.

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