

# SENATE BILL REPORT

## SB 5141

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As Passed Senate, January 24, 2018

**Title:** An act relating to regulation of programs of yoga practice or instruction as private vocational schools.

**Brief Description:** Concerning the regulation of programs of yoga practice or instruction as private vocational schools.

**Sponsors:** Senators Palumbo and Wilson.

**Brief History:**

**Committee Activity:** Higher Education: 1/24/17, 1/26/17 [DP].

**Floor Activity:**

Passed Senate: 3/01/17, 47-2; 1/24/18, 49-0.

**Brief Summary of Bill**

- Exempts entities related to the instruction or practice of yoga from regulation as a private vocation school.

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### SENATE COMMITTEE ON HIGHER EDUCATION

**Majority Report:** Do pass.

Signed by Senators Wilson, Chair; Bailey, Vice Chair; Palumbo, Ranking Minority Member; Baumgartner and Frockt.

**Staff:** Alicia Kinne-Clawson (786-7407)

**Background:** Private Vocational Schools. The Workforce Training and Education Coordinating Board (Board) regulates and licenses both degree and non-degree private vocational school programs. Private vocational schools include any location where an entity is offering postsecondary education in any form or manner for the purpose of instructing, training, or preparing persons for any vocation or profession. Private vocational schools do not include:

- avocational or recreational education;
- public and private community and technical colleges, and four-year universities;
- certified federal aviation administration courses;

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- continuing education courses; and
- workshops or seminars that last no longer than three days.

To attain licensure as a private vocational school, an entity must file a competed application, comply with tuition recovery trust fund requirements, pay a fee, and meet certain minimum standards, which include:

- disclosure of ownership and financial information;
- compliance with uniform statewide cancellation and refund policies;
- use of an enrollment contract;
- disclosure of prerequisite requirements to students;
- discussion with potential students about a student's obligations once enrolled; and
- compliance with administrator and faculty qualification requirements.

Yoga. Yoga is a a system of exercises for attaining bodily or mental control and well-being. As of January, 2017, 17 yoga schools are licensed in Washington.

**Summary of Bill:** Entities where yoga is taught or practiced are exempted from licensure and regulatory requirements for private vocational schools.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** *Testimony from 2017 Regular Session.* PRO: Yoga is not a licensed profession. Yoga is not a typical school and yoga schools are typically women owned small businesses. If a yoga school wanted to be licensed, it still could. For most yoga instructors, yoga does not constitute the majority of their income. There are no prerequisites to teaching yoga. Over half of the states in the United States do not regulate yoga schools as private vocational schools. Over 150 organizations have contacted the Yoga Alliance in support of this bill, many stating they cannot afford the cost of private vocational school licensure. Having less complex legislation for yoga school registration will help increase diversity within the practice of yoga. The current regulations practically force small yoga studio owners to coordinate with larger programs in order to get licensed as a private vocational school.

CON: All yoga schools should be licensed in the states in which they reside. The Yoga Alliance does not accredit or certify yoga schools. Therefore, the state of Washington should regulate yoga schools. The state should ensure adequate educational quality at yoga schools, which is the mission of regulating private vocational schools. Without licensure, it is unclear if yoga school students get an adequate education. There is incentive to be a teacher training school. If a yoga school cannot withstand the scrutiny and standards that private vocational school licensure would entail, it should not be teaching yoga instructors.

OTHER: There is already exempt criteria in statute for entities that provide training that is avocational in nature. The schools that are licensed are those that market or advertise that their training will lead to career or job placement or advancement. Many yoga schools are not marketing to teach career directed individuals. However, some yoga schools do market that they undertake career teacher training. Washington State's private vocational school licensure is reasonable in comparison to other states.

**Persons Testifying:** PRO: Senator Guy Palumbo, Prime Sponsor; Vicki Christophersen, Yoga Alliance; Jonathan Bowra, citizen.

CON: Jenifer Halder, citizen.

OTHER: Jim Parker, Workforce Board - Private Career School Unit Manager.

**Persons Signed In To Testify But Not Testifying:** No one.