
HOUSE BILL 2381

State of Washington

58th Legislature

2004 Regular Session

By Representatives Kenney, Cox, Fromhold, Chase, Miloscia, Morrell and Moeller

Read first time 01/13/2004. Referred to Committee on Higher Education.

1 AN ACT Relating to degree-granting institutions of higher
2 education; and amending RCW 28B.85.020 and 28B.85.040.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

6 (1) The board:

7 (a) Shall adopt by rule minimum standards for degree-granting
8 institutions concerning granting of degrees, quality of education,
9 unfair business practices, financial stability, and other necessary
10 measures to protect citizens of this state against substandard,
11 fraudulent, or deceptive practices. The rules shall require that an
12 institution be accredited or be making progress toward accreditation by
13 an accrediting agency recognized by the United States department of
14 education. The board shall adopt the rules in accordance with chapter
15 34.05 RCW;

16 (b) May investigate any entity the board reasonably believes to be
17 subject to the jurisdiction of this chapter. In connection with the
18 investigation, the board may administer oaths and affirmations, issue
19 subpoenas and compel attendance, take evidence, and require the

1 production of any books, papers, correspondence, memorandums, or other
2 records which the board deems relevant or material to the
3 investigation. The board, including its staff and any other authorized
4 persons, may conduct site inspections, the cost of which shall be borne
5 by the institution, and examine records of all institutions subject to
6 this chapter;

7 (c) Shall develop an interagency agreement with the work force
8 training and education coordinating board to regulate degree-granting
9 private vocational schools with respect to degree and nondegree
10 programs; and

11 (d) Shall develop and disseminate information to the public about
12 entities that sell or award degrees without requiring appropriate
13 academic achievement at the postsecondary level, including but not
14 limited to, a description of the substandard and potentially fraudulent
15 practices of these entities, and advice about how the public can
16 recognize and avoid the entities.

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

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

22 (1) An institution or person shall not advertise, offer, sell, or
23 award a degree or any other type of educational credential unless the
24 student has enrolled in and successfully completed a prescribed program
25 of study, as outlined in the institution's publications. This
26 prohibition shall not apply to honorary credentials clearly designated
27 as such on the front side of the diploma or certificate and awarded by
28 institutions offering other educational credentials in compliance with
29 state law.

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

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

36 (a) Any public college, university, community college, technical

1 college, or institute operating as part of the public higher
2 educational system of this state;

3 (b) Institutions that have been accredited by an accrediting
4 association recognized by the agency for the purposes of this chapter:
5 PROVIDED, That those institutions meet minimum exemption standards
6 adopted by the agency; and PROVIDED FURTHER, That an institution,
7 branch, extension, or facility operating within the state of Washington
8 which is affiliated with an institution operating in another state must
9 be a separately accredited member institution of any such accrediting
10 association to qualify for this exemption;

11 (c) Institutions of a religious character, but only as to those
12 education programs devoted exclusively to religious or theological
13 objectives if the programs are represented in an accurate manner in
14 institutional catalogs and other official publications; or

15 (d) Institutions not otherwise exempt which offer only workshops or
16 seminars (~~lasting no longer than three calendar days and for which~~
17 ~~academic credit is not awarded~~) and institutions offering only credit-
18 bearing workshops or seminars lasting no longer than three calendar
19 days.

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