

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2381

Chapter 96, Laws of 2004

58th Legislature
2004 Regular Session

HIGHER EDUCATION--DEGREE-GRANTING INSTITUTIONS

EFFECTIVE DATE: 6/10/04

Passed by the House February 12, 2004
Yeas 94 Nays 2

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 11, 2004
Yeas 49 Nays 0

BRAD OWEN

President of the Senate

Approved March 24, 2004.

GARY F. LOCKE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2381** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

March 24, 2004 - 2:11 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2381

Passed Legislature - 2004 Regular Session

State of Washington 58th Legislature 2004 Regular Session

By House Committee on Higher Education (originally sponsored by Representatives Kenney, Cox, Fromhold, Chase, Miloscia, Morrell and Moeller)

READ FIRST TIME 02/06/04.

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 may 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. To the extent feasible, the
17 information shall include links to additional resources that may assist
18 the public in identifying specific institutions offering substandard or
19 fraudulent degree programs.

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

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

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

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

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

3 (a) Any public college, university, community college, technical
4 college, or institute operating as part of the public higher
5 educational system of this state;

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

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

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

21 (e) Institutions not otherwise exempt which offer only workshops or
22 seminars (~~lasting no longer than three calendar days and for which~~
23 academic credit is not awarded)) and institutions offering only credit-
24 bearing workshops or seminars lasting no longer than three calendar
25 days.

Passed by the House February 12, 2004.
Passed by the Senate March 11, 2004.
Approved by the Governor March 24, 2004.
Filed in Office of Secretary of State March 24, 2004.