
**Higher Education & Workforce
Education Committee**

HB 2507

Brief Description: Prohibiting false or misleading college degrees.

Sponsors: Representatives Kenney, Shabro, Hasegawa, Morrell, Rodne, Lantz and Ormsby.

Brief Summary of Bill

- Requires an institution of higher education operating in Washington to 1) be accredited by a nationally recognized accrediting agency; 2) have an accreditation application pending; or 3) have been granted a waiver or exemption by the Higher Education Coordinating Board (HECB).
- Prohibits the granting of false or misleading degrees.
- Requires a person claiming in writing to have a degree from a program not approved by the HECB, granted a waiver or exemption, or accredited from to indicate the degree was not granted by an accredited or HECB approved school.
- Imposes penalties of up to \$1,000.
- Defines the terms "false or misleading degree," "grant," "offer," and "operate."

Hearing Date: 1/20/06

Staff: Sarah Ream (786-7303).

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 shall 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 of Bill:

The bill requires that a degree granting institution operating in Washington:

- be accredited by an accrediting agency recognized by the United States Department of Education;
- have applied for accreditation and have an application for accreditation pending; or
- have been granted a waiver by the HECB from the accreditation requirement.

This bill prohibits offering "false or misleading" degrees. A degree is "false or misleading" if it falsely suggests that the person named in the degree or document has completed the requirements for an academic or professional program, when in fact the person has not done so. The HECB or a court may impose a penalty of up to \$1,000 on anyone who claims to have a degree that is false or misleading.

The bill limits how a person awarded a degree from an institution of higher education that is not authorized by the HECB, accredited, or granted a waiver by the HECB may indicate in writing that he or she has the degree. In such a case, the person must clearly specify that the degree was awarded by an institution not authorized by the HECB or accredited. The HECB or court may impose a civil penalty of up to \$1,000 on someone who violates this provision.

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).

Appropriation: None.

Fiscal Note: Requested on January 11, 2006.

Effective Date: The bill takes effect July 1, 2006.