

Senate Bill 113

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Exempts certain post-secondary schools from degree requirements of Office of Degree Authorization if school accredited by accreditor approved by office. Establishes procedure by which accreditor becomes approved by office.

A BILL FOR AN ACT

1
2 Relating to accreditation of post-secondary schools; creating new provisions; and amending ORS
3 348.597.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS 348.594 to**
6 **348.615.**

7 **SECTION 2. (1) A school is exempt from ORS 348.594 to 348.615 if the school is accredited**
8 **by an accreditor of post-secondary schools and the accreditor is approved by the Office of**
9 **Degree Authorization as provided by subsection (2) of this section.**

10 **(2) The Office of Degree Authorization shall approve an accreditor of post-secondary**
11 **schools if the accreditor meets all of the following requirements:**

12 **(a) The accreditor is recognized as an accreditor of post-secondary schools by the United**
13 **States Department of Education or is a member of a nationally recognized organization that**
14 **is committed to promoting the accreditation process.**

15 **(b) The accreditor has accreditation standards substantially equivalent to accreditation**
16 **standards adopted by rule by the Office of Degree Authorization.**

17 **(c) The accreditor permits evaluators designated by the Office of Degree Authorization**
18 **to participate in the accreditation process of a school that operates or will operate in**
19 **Oregon.**

20 **(d) The accreditor provides the Office of Degree Authorization with access to all docu-**
21 **ments under the control of the accreditor that are produced by the accreditor or by the**
22 **school during the accreditation process.**

23 **(3)(a) If the Office of Degree Authorization determines that the accreditation standards**
24 **of an accreditor are not substantially equivalent to the accreditation standards of the Office**
25 **of Degree Authorization, the accreditor may request review of the determination by the**
26 **Oregon Student Assistance Commission. As a result of a review conducted under this para-**
27 **graph, the commission may allow the accreditor to apply the accreditation standards of the**
28 **accreditor.**

29 **(b) Accreditors that do not have accreditation standards that are substantially equivalent**
30 **to accreditation standards of the Office of Degree Authorization, as determined under para-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **graph (a) of this subsection or subsection (2)(b) of this section, may not be approved by the**
 2 **office.**

3 **(4) A school that operates or will operate in Oregon and that refuses to allow the Office**
 4 **of Degree Authorization to participate in the accreditation process of the school or refuses**
 5 **to provide documents under the control of the school that are produced by the school or the**
 6 **accreditor during the accreditation process may not qualify as a school that is accredited by**
 7 **an accreditor approved by the office as provided by this section.**

8 **(5) A school that seeks accreditation by an accreditor approved by the Office of Degree**
 9 **Authorization as provided by this section is responsible for the payment of any fees imposed**
 10 **under ORS 348.607.**

11 **(6) A school that is accredited by an accreditor approved by the Office of Degree Au-**
 12 **thorization as provided by this section must be evaluated at least once every three years to**
 13 **determine whether the school continues to meet the accreditation standards of the**
 14 **accreditor.**

15 **(7)(a) A person alleging a violation of an accreditation standard by a school that is ac-**
 16 **credited by an accreditor approved by the Office of Degree Authorization as provided by this**
 17 **section may file a complaint with the office. Upon receipt of a complaint, the Office of Degree**
 18 **Authorization shall:**

19 **(A) Refer the complaint to the accreditor of the school if the accreditor has a process**
 20 **for resolving the complaint; or**

21 **(B) Resolve the complaint if the accreditor declines to resolve the complaint or the**
 22 **accreditor does not have a process for resolving the complaint.**

23 **(b) Any party to a complaint filed under this subsection may request that the Oregon**
 24 **Student Assistance Commission review a resolution made under paragraph (a)(B) of this**
 25 **subsection. An action taken pursuant to a review by the commission under this paragraph**
 26 **is binding on the school.**

27 **(8) Documents in the control of the Office of Degree Authorization or the Oregon Student**
 28 **Assistance Commission are public records if they are:**

29 **(a) Produced during the accreditation process for a school that is a public school; or**

30 **(b) Used or produced for the resolution of a complaint filed as described in subsection (7)**
 31 **of this section, except that the person filing the complaint may request that any personally**
 32 **identifiable information be removed from the documents.**

33 **SECTION 3.** ORS 348.597 is amended to read:

34 **348.597. (1) Except as provided in subsection (2) of this section, ORS 348.594 to 348.615**
 35 **apply to all schools that operate in Oregon.**

36 **(2) ORS 348.594 to 348.615 do not apply to:**

37 **[(1)] (a) An Oregon community college;**

38 **(b) A school licensed by the Department of Education under ORS 345.010 to 345.450;**

39 **[(2)] (c) A state institution of higher education within the Oregon University System;**

40 **[(3)] (d) The Oregon Health and Science University;**

41 **[(4) A school that has conferred degrees under the same control for five years in Oregon from at**
 42 **least one operationally separate unit accredited as a separate institution by a regional accrediting as-**
 43 **sociation or its national successor;]**

44 **[(5) A school that, on the date preceding July 15, 2005, was a school described in ORS 348.594**
 45 **(2)(d); or]**

1 [(6)] (e) A school that is exempt from ORS 348.594 to 348.615 under ORS 348.604[.]; **or**
2 (f) **A school that is accredited by an accreditor of post-secondary schools that is approved**
3 **by the Office of Degree Authorization under section 2 of this 2009 Act.**

4 **SECTION 4. Section 2 of this 2009 Act first applies to schools beginning the accreditation**
5 **process on or after the effective date of this 2009 Act.**

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