

House Bill 2025

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Superintendent of Public Instruction Susan Castillo for Department of Education)

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**.

Allows State Board of Education to adopt rules related to general governance and operation of career schools.

Modifies training requirements for hair design, barbering, esthetics and nail technology.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to career schools; amending ORS 345.020, 345.330 and 345.400; and declaring an emergency.

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

4 **SECTION 1.** ORS 345.020 is amended to read:

5 345.020. (1) **The State Board of Education may adopt rules pursuant to ORS chapter 183**
6 **for the general governance and operation of career schools. Rules adopted by the board may**
7 **be specific to the individual professions for which career schools provide instruction or**
8 **training.**

9 [(1)] (2) The Superintendent of Public Instruction shall administer ORS 345.010 to 345.450 and
10 345.992 to 345.997 and shall enforce all laws and rules relating to the licensing of career schools
11 and agents.

12 [(2)] (3) The superintendent may establish procedures whereby schools become eligible to par-
13 ticipate in federal student assistance programs if approved by the United States Department of Ed-
14 ucation.

15 [(3)] (4) The superintendent and the employees of the Department of Education [*shall*] **may** not
16 have financial interests in any career school and [*shall*] **may** not act as agents or employees
17 [*thereof*] **of any career school.**

18 **SECTION 2.** ORS 345.330 is amended to read:

19 345.330. (1) The Superintendent of Public Instruction shall appoint a representative advisory
20 committee consisting of 11 members who shall serve for terms of three years ending June 30. Of
21 the membership of the committee:

22 (a) Seven members shall be persons affiliated with career schools as owners, directors, admin-
23 istrators, instructors or representatives, but not more than one member shall represent an out-of-
24 state career school.

25 (b) Four members shall be persons who are not eligible under paragraph (a) of this subsection.
26 At least one of these members shall have graduated from a career school.

27 (2) The advisory committee appointed under subsection (1) of this section shall:

28 (a) Make recommendations to the superintendent and State Board of Education concerning the
29 need for professional and technical instructional and training facilities, the types of instruction and
30 training needed and by whom these can best be provided.

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 (b) Recommend standards for career schools as provided in ORS 345.325 which are consistent
2 with the purposes of such schools.

3 (c) Investigate and present findings to the State Board of Education on the administration and
4 operation of laws relating to career schools. However, the investigations and findings of the advi-
5 sory committee do not affect the authority of the superintendent to issue, deny, suspend or revoke
6 the license of any career school.

7 (d) Consult with the superintendent in determining the refund schedule under ORS 345.115.

8 (e) Make recommendations to the superintendent concerning [*rule development*] **rules to be**
9 **adopted by the State Board of Education** for ORS 345.010 to 345.450 and 345.992 to 345.997.

10 (3) Members of the advisory committee are entitled to compensation and expenses as provided
11 in ORS 292.495 from funds appropriated to the Department of Education for purposes of adminis-
12 tering ORS 345.010 to 345.450.

13 **SECTION 3.** ORS 345.400 is amended to read:

14 345.400. In addition to the other requirements of ORS 345.010 to 345.450, the rules adopted by
15 the State Board of Education to regulate schools teaching hair design, barbering, esthetics or nail
16 technology:

17 (1) May include rules the board considers necessary to protect the economic or physical health
18 and safety of the public and of the students attending the school including compliance with ORS
19 345.110.

20 (2) Shall include rules that set standards for teachers teaching in schools licensed to teach hair
21 design, barbering, esthetics or nail technology pursuant to ORS 345.010 to 345.450.

22 (3) Shall require the schools to teach, and require for graduation from the school, courses that
23 meet the following minimum standards:

24 (a)(A) A minimum hourly training requirement for:

25 (i) Hair design, 1,450 hours;

26 (ii) Barbering, 1,100 hours;

27 (iii) Esthetics, 250 hours; and

28 (iv) Nail technology, 350 hours; and

29 (B) In addition to the programs listed in this subsection, a student is also required to success-
30 fully complete the following requirements once:

31 (i) Safety and sanitation, 150 hours; and

32 (ii) Career development, 100 hours.

33 (b) A student [*competency-based*] **proficiency-based** training requirement for hair design, bar-
34 bering, esthetics or nail technology, if the school has developed written requirements for graduation
35 that are approved by the Superintendent of Public Instruction.

36 **SECTION 4. This 2011 Act being necessary for the immediate preservation of the public**
37 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
38 **on its passage.**