

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 4019**

1 On page 1 of the printed A-engrossed bill, line 2, after “education” insert
2 “; and declaring an emergency”.

3 Delete lines 4 through 21 and delete pages 2 through 5 and insert:

4 **“SECTION 1. Sections 2 to 4 of this 2014 Act are added to and made**
5 **a part of ORS chapter 348.**

6 **“SECTION 2. As used in sections 3 and 4 of this 2014 Act, ‘institu-**
7 **tion of higher education’ means:**

8 **“(1) A public university listed in ORS 352.002;**

9 **“(2) A community college as defined in ORS 341.005;**

10 **“(3) The Oregon Health and Science University;**

11 **“(4) A career school as defined in ORS 345.010;**

12 **“(5) A private post-secondary institution authorized to confer aca-**
13 **demic degrees under ORS 348.594 to 348.615; and**

14 **“(6) A private post-secondary institution that meets the criteria set**
15 **forth in ORS 348.597 (2)(d).**

16 **“SECTION 3. (1) Each year, the Higher Education Coordinating**
17 **Commission shall identify the federal or national entity that best**
18 **provides information about the affordability and value of institutions**
19 **of higher education in Oregon.**

20 **“(2) An institution of higher education that operates in this state**
21 **shall, at the time of application, provide the institution’s students**
22 **with:**

1 “(a) A link to the page of the Internet website maintained by the
2 entity identified in subsection (1) of this section that discusses the
3 affordability and value of the institution; or

4 “(b) A complete and accurate copy of the page of the Internet
5 website maintained by the entity identified in subsection (1) of this
6 section that discusses the affordability and value of the institution.
7 The institution may provide this copy to students electronically or by
8 mail.

9 “(3) If an institution of higher education maintains an Internet
10 website, the institution shall make publicly available on the website
11 in a prominent location the Internet link and copy described in sub-
12 section (2) of this section.

13 “(4) The requirements set forth for institutions of higher education
14 in subsections (2) and (3) of this section apply only to institutions
15 whose affordability and value is analyzed by the entity identified in
16 subsection (1) of this section.

17 “(5) The commission shall work toward developing an Internet
18 website that provides information about the affordability and value of
19 all institutions of higher education that operate in this state.

20 “(6) The commission may adopt rules to implement this section.

21 “SECTION 4. An institution of higher education that operates in
22 this state may not:

23 “(1) Promise or guarantee employment, or overstate the availability
24 of jobs, upon completion of an educational program or degree from the
25 institution.

26 “(2) Advertise inaccurately regarding length of time required to
27 learn a trade or skill.

28 “(3) Omit from an advertisement, or from promotional material,
29 information indicating which educational programs are delivered by
30 means of distance education.

1 **“(4) Advertise, or indicate in promotional material, that the insti-**
2 **tution is accredited, if the institution is not accredited.**

3 **“(5) Solicit students for enrollment by advertising material in ‘help**
4 **wanted’ or similar columns in a magazine, newspaper or similar pub-**
5 **lication.**

6 **“(6) Use advertising that does not identify the institution.**

7 **“(7) Compensate or offer to compensate a student enrolled at the**
8 **institution to act as an agent of the institution to solicit, refer or re-**
9 **cruit a person for enrollment in the institution, other than through**
10 **regular student employment. This subsection does not prohibit an in-**
11 **stitution from, during a calendar year, awarding tokens or gifts with**
12 **an aggregate value of \$100 or less to a student for referring a person**
13 **to the institution. A token or gift may not be in the form of money.**

14 **“(8) Pay any consideration to a person to induce the person to sign**
15 **an enrollment agreement for an educational program.**

16 **“(9) Imply or suggest that:**

17 **“(a) The institution is affiliated with a government agency, public**
18 **or private corporation, agency or association, if it is not so affiliated.**

19 **“(b) The institution is a public institution, if it is not a public in-**
20 **stitution.**

21 **“(c) The institution grants degrees, if the institution does not grant**
22 **degrees.**

23 **“(10) Use the phrase, ‘approved to operate,’ or similar words or**
24 **phrases, without indicating that ‘approved to operate’ means compli-**
25 **ance with standards set by law. If the Higher Education Coordinating**
26 **Commission has authorized an institution to offer an approved degree**
27 **program, the institution may indicate the approval but may not state**
28 **or imply that:**

29 **“(a) The institution or its educational programs are endorsed or**
30 **recommended by the State of Oregon or the commission.**

1 **“(b) The approval to operate means the institution exceeds mini-**
2 **imum standards set by law.**

3 **“(11) Direct any individual to perform an act that violates this sec-**
4 **tion, to refrain from reporting unlawful conduct to the commission**
5 **or any other government agency or to persuade a student not to**
6 **complain to the commission.**

7 **“(12) Compensate an employee involved in recruitment, enrollment,**
8 **admissions, attendance or sales of educational materials to students**
9 **on the basis of a commission, commission draw, bonus, quota or sim-**
10 **ilar method related to the recruitment, enrollment, admissions, at-**
11 **tendance or sales of educational materials to students.**

12 **“(13) Require a student to provide personal contact information in**
13 **order to obtain, from the institution’s Internet website:**

14 **“(a) Educational program information required to be in the school**
15 **catalog; or**

16 **“(b) Any information required to be disseminated under the con-**
17 **sumer information provisions of the Higher Education Act of 1965, as**
18 **amended.**

19 **“(14) Offer an associate, baccalaureate, master’s or doctoral degree**
20 **without disclosing to students at the time of application whether the**
21 **institution or the degree program is accredited and any known limi-**
22 **tation of the degree, including, but not limited to:**

23 **“(a) Whether completion of the educational program will meet li-**
24 **cense, registration, certificate or other authorization requirements to**
25 **practice a profession or trade in this state.**

26 **“(b) That a student enrolled in an institution that is not accredited**
27 **is not eligible for federal financial aid programs.**

28 **“SECTION 5. (1) Sections 2 to 4 of this 2014 Act become operative**
29 **July 1, 2014.**

30 **“(2) The Higher Education Coordinating Commission and an insti-**

1 **tution of higher education, as defined in section 2 of this 2014 Act,**
2 **may take any action before the operative date specified in subsection**
3 **(1) of this section that is necessary to enable the commission and the**
4 **institution to exercise, on and after the operative date specified in**
5 **subsection (1) of this section, the duties, functions and powers speci-**
6 **fied in sections 2 to 4 of this 2014 Act.**

7 **“SECTION 6. This 2014 Act being necessary for the immediate**
8 **preservation of the public peace, health and safety, an emergency is**
9 **declared to exist, and this 2014 Act takes effect on its passage.”.**

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