**Northwest Career Colleges Federation**

Washington Student Achievement Council – Update

May 20, 2016

**Rulemaking – Degree Authorization**

The Washington Student Achievement Council (the Council) is responsible for implementation of the Degree-Granting Institutions Act, Chapter 28B.85 RCW. The Act requires the Council to adopt by rules minimum standards for degree-granting institutions concerning granting degrees, quality of education, unfair business practices, financial stability and other necessary measures to protect citizens of the state of Washington against substandard, fraudulent or deceptive practices.

The Council has engaged in rulemaking to further enhance consumer protection of students attending degree-granting schools under the jurisdiction of the Degree-Granting Institutions Act.

Proposed modifications:

WAC 250-61-050 Definitions

Add new definitions:

1. Administrative capability
   1. Means that both administrative services and educational instruction take place at an authorized location.
2. Field placement
   1. Means a student learning experience comprised primarily of the practical application of previously studied theories and skills.
3. Standard authorization
   1. Means authorization granted to institutions seeking to operate in Washington but does not include institutions seeking field placement authorization only.
4. Field placement authorization
   1. Means authorization granted to institutions seeking authorization solely to offer required field placements at locations in Washington that are part of a distance learning program.
5. Adverse Action
   1. Means a warning or other sanction issued by the United States Department of Education, a lawsuit filed by the institution’s students, or a lawsuit or investigation by a state agency, a state attorney’s office or another regulatory or law enforcement entity.
6. At risk
   1. Means a designation made by the council resulting from an adverse action that may affect the continued successful operation of the institution.

Definitions have been renumbered to accommodate new definitions.

WAC 250-61-060(3)(b) Exemption criteria

Change of “majority control” has been added to the criteria which could lead to the withdrawal of an exemption from the requirements for degree-granting schools.

WAC 250-61-100(f)(I and ii) Academic requirements

Limitations on the use of non-collegiate learning at the undergraduate level has been removed. The use of non-collegiate learning at both the undergraduate and graduate level must be consistent with the minimum standards of the institution’s accrediting association.

WAC 250-61-110(3) Student services and instructional resources requirements

When possible, a school must consider diagnosis, assessments, and accommodation plans from prior secondary and postsecondary educational institutions or employers as part of disability accommodations decisions.

WAC 250-61-110(8)(d) Student services and instructional resources requirements

Schools will be required to maintain a copy of all academic records at a secure off-site facility.

WAC 250-61-120(3) Catalog requirements

Schools will provide students with a standardized statement regarding transferability of credits to other schools.

*An institution granted authorization shall make the following statement regarding transferability of credits available to all students. “The transferability of credits you earned at (name of institution) is at the complete discretion of an institution to which you may seek to transfer. Acceptance of the degree, diploma or certificate you earn in a program of study is also at the complete discretion of the institution to which you may seek to transfer. If credits, degree, diploma, or certificate that you earn at this institution are not accepted at the institution to which you seek to transfer, you may be required to repeat some or all of your coursework at that institution. For this reason, you should make certain that your attendance at this institution will meet your educational goals. This may include contacting an institution which you may seek transfer to after attending (name of institution) to determine if your academic credits, degree, diploma or certificate will transfer.*

WAC 250-61-140 Security requirements

1. Requires schools have a separate acceptable security for each authorized site with administrative capability.
2. Increases the minimum security requirement for schools with standard authorization from twenty-five thousand dollars to fifty thousand dollars.
3. Maintains the security requirement for schools seeking field placement authorization exclusively at twenty-five thousand dollars.
4. Increases the minimum security for schools seeking renewal of standard authorization from twenty-five to fifty thousand dollars for each site with administrative capability. Removes an upper limit to the security requirement.
5. Maintains the security requirement for schools seeking renewal of field placement authorization at ten percent of the preceding fiscal year’s total revenue from tuition and fees but not less than twenty-five thousand dollars.

WAC 250-61-150 At-risk institutions (new section)

Requires an institution designated as “at risk” by the Council to notify the Council of any adverse action taken against the school within thirty days. Failure to notify may lead to suspension of authorization to operate. Institutions designated “at risk” by the Council may be subject to additional and/or more frequent reporting requirements as determined by the Council. Restrictions on the authorization of new programs may be imposed by the Council.

WAC 250-61-200 Suspension or withdrawal of authorization re-designated as WAC 250-61-160

WAC 250-61-160 Discontinuance and closure requirements re-designated as WAC 250-61-170

WAC 250-61-170 Application requirements re-designated as WAC 250-61-180

WAC 250-61-170 (as renumbered)

Provides detailed list of items to be submitted to WSAC upon discontinuance or closure.

WAC 250-61-180 (as renumbered)

(2)(e) Requires authorized programs be made available to Washington students no later than one year after the granting of authorization for their offering.

(3)(d) Limits non-accredited schools from offering no more than two new programs per calendar year until full accreditation is received.

WAC 250-61-180 Application review procedures re-designated as WAC 250-61-190

WAC 250-61-190 Complaints re-designated as WAC 250-61-200

(4) Extends the time period in which a complaint may be initiated to two years.

WAC 250-51-225 Issuance of false academic credentials re-designated as WAC 250-61-220

WAC 250-61-230 Notices

New

Gives address to which required notices are to be sent.

**Rulemaking – Student Financial Assistance**

Student Financial Assistance is engaging in a rules revision process. The rules revisions are needed to:

1. Clarify in rule statutory requirements;
2. Update rules to reflect statutory changes to the need-based program;
3. Provide administrative and technical amendments as needed.

Examples of proposed WAC clarification areas:

1. State Need Grant
2. Clarify the process to admit new institutions
3. Accommodate statutory changes regarding less-than-halftime eligibility
4. Remove Opportunity Internship
5. Revise Self-Help
6. Include WAFSA
7. College Bound Scholarship
8. Clarify high school graduation requirements
9. Clarify the college enrollment window
10. State Work Study
11. Amend residency requirements
12. Local minimum wages

**Study Required by Legislature**

In the FY 2016-17 Supplemental Budget, the Washington Legislature provided funds for the Student Achievement Council, the Workforce Training and Education Coordinating Board, and the Department of Licensing to work together to design and oversee a study, to be administered by the Council, that objectively analyses and makes recommendations about systemic overlaps and gaps in jurisdiction regarding for-profit degree-granting institutions and private vocational schools.

Scope

For-profit degree-granting schools and private vocational schools.

Specific Requirements

1. The study must include recommendations to improve oversight and accountability of these [for-profit] institutions and schools and a review of whether, and how, different standards are applied to the institutions by different agencies. Specifically, the study must:
2. Examine data collection and reporting practices of for-profit degree-granting institutions and private vocational schools compared to the data collection and reporting of the community and technical colleges. The study must determine if there are inconsistencies and discrepancies in the practice of the for-profit degree-granting institutions and private vocational schools.
3. The study must also make recommendations on the methods of collecting, analyzing, and reporting data, including what measurements to use, to ensure that data from the for-profit degree-granting institutions and private vocational schools can be accurately compared to data from the community and technical colleges.
4. Study the current regulations governing these institutions and schools and recommend necessary changes to achieve consistent regulatory oversight of the entire system.
5. Recommend ways to implement a cohesive method for guiding and assisting current and prospective students who have questions and concerns.
6. Review whether an ombuds position serving students of for-profit degree-granting institutions and private vocational schools should be created.

Due Date

The final report to the appropriate committees of the legislature is due January, 1, 2017.