

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Concur in the House Amendments Dated 6/6, Further Amend and Repass the Bill

Vote: 6 - 0 - 0

Yeas: Dallum, Flores, Kruse, Ringo, Roblan, Walker

Nays: 0

Exc.: 0

Prepared By: Marjorie Taylor, Administrator

Meeting Dates: 6/22

WHAT THE MEASURE DOES: Allows a person who holds a degree from a post-secondary institution that is not accredited or approved by the Office of Degree Authorization to claim or represent that a person has an academic degree if a disclaimer is included. Directs that Oregon Student Assistance Commission, through the Office of Degree Authorization, to exempt certain schools from statutory provisions regulating conferring or offering of degrees. Requires school to apply for exemption, meet certain requirements and comply with specified conditions. Establishes an appeal process if exemption if denied, suspended or revoked. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Legislative history of the measure
- Provisions of the measure
- Settlement agreement between Department of Justice and other groups

EFFECT OF CONFERENCE COMMITTEE AMENDMENT: Makes a technical fix related to provisions covering people who claim or represent that they have an academic degrees from an institution that is not accredited or approved by the Office of Degree Authorization. Clarifies that, specific to schools of veterinary medicine, provisions of the measure do not apply to people who claim or represent that they have an academic degree from an institution that is not accredited or approved by the Office of Degree Authorization.

BACKGROUND: Current statute (ORS 348.609) states that no person who has been warned to cease and desist shall claim or represent that they possess any academic degree unless the degree has been awarded or conferred upon the person by a school that: has accreditation from the U.S. Department of Education or foreign equivalent; has been approved by the Oregon Student Assistance Commission through the Office of Degree Authorization to offer degrees in Oregon; a school as defined in ORS 348.594; or is located in the United States and has met standards of academic quality comparable to those of an institution in the U.S. that has accreditation recognized by the U.S. Department of Education.

Changes proposed in SB 1039 A* are part of a settlement agreement between the Attorney General, the Office of Degree Authorization, and the Student Assistance Commission and Kennedy-Western University, a degree-granting online university. Kennedy-Western University is not accredited by an accrediting body recognized by the U.S. Department of Education nor is it approved by the Office of Degree Authorization to offer degrees in Oregon. However, the settlement says that ORS 348.609 will not be enforced as long as degree holders disclose in writing that the university is not accredited by an accrediting body recognized by the U.S. Department of Education or approved by the Office of Degree Authorization.

The Oregon Veterinary Medical Examining Board (OVMEB) submitted SB 193 (2005) in response to a 2003 decision by the Office of Degree Authorization (ODA) that university degrees from the island of St. Kitts are illegal for use in Oregon. Ross University School of Veterinary Medicine is a U.S.-owned school located on St. Kitts that has issued veterinary degrees since 1991.

6/30/2005 8:36 AM

This summary has not been adopted or officially endorsed by action of the committee.

ORS Chapter 686 gives the OVMEB authority to approve veterinary schools. Since 1952, state veterinary boards have relied on the American Veterinary Medical Association's (AVMA) professional evaluation of veterinary schools in making approval decisions. Veterinarians from non-accredited schools must pass the Educational Commission for Foreign Veterinary Graduates (ECFVG). The AVMA, at the request of state veterinary licensing boards, established the ECFVG in 1959 to address concerns about foreign schools.

Senate Bill 193 exempted the OVMEB from provisions of ORS 348.609, related to the Office of Degree Authorization, to the extent of retaining approval of veterinary schools. Senate Bill 1039 A* continues to clarify that ORS 348.609 won't apply to graduates of veterinary colleges or departments or universities or colleges, of good standing and repute, as determined by the OVMEB.

Portland Bible College offers degrees in theology and religious occupations. The college is exempt under ORS 348.594 and OAR 583-030-0010 from requirements for degree authorization. In 2003, the Oregon Student Assistance Commission adopted new rules that would have subjected the college to regulations that was perceived to extend beyond their statutory authority. The college, the Office of Degree Authorization and the Department of Justice have negotiated for several months to produce a revised set of criteria for continuing to grant religious institutions exempt status. SB 1039 A* codifies new exemption criteria that incorporate criteria in administrative rule and additional criteria taken from the standard school approval list.