

A-Engrossed
House Bill 2187

Ordered by the House March 6
Including House Amendments dated March 6

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on 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.

[Establishes requirements to transition school between career school regulated by Department of Education and career school regulated by agency of executive department. Allows Superintendent of Public Instruction to grant exemption to authorize agency to regulate certain career schools.]

Exempts school from career school licensure requirements if school prepares students to become nursing assistant or medication aide and meets certain standards or if school is adequately regulated by other means and Superintendent of Public Instruction grants exemption.

Declares emergency, effective July 1, 2013.

A BILL FOR AN ACT

1
2 Relating to the regulation of career schools; amending ORS 345.015; and declaring an emergency.

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

4 **SECTION 1.** ORS 345.015 is amended to read:

5 345.015. ORS 345.010 to 345.450 do not apply to:

6 (1) Instruction or training solely avocational or recreational in nature or to institutions offering
7 such education exclusively.

8 (2) Instruction or training sponsored or offered by a bona fide trade, business, professional or
9 fraternal organization or by a business [*solely*] **primarily** for the organization's membership or the
10 business's employees.

11 (3) Instruction or training sponsored, offered or contracted by organizations, institutions or
12 agencies, if the instruction or training is advertised or promoted to be in the nature of professional
13 self-improvement or personal self-improvement and the instruction or training is not:

14 (a) Advertised or promoted as leading to or fulfilling the requirements for licensing, certifi-
15 cation, accreditation or education credentials; or

16 (b) Leading to an occupation, employment or other activity for which a person may reasonably
17 expect financial compensation.

18 (4) Courses offered in hospitals that meet standards prescribed by the American Medical Asso-
19 ciation or national accrediting associations for nursing.

20 (5) Courses, instruction or training offered for a limited number of hours, as defined by rule of
21 the State Board of Education.

22 (6) Schools offering only courses of an advanced training or continuing educational nature when
23 offered solely to licensed practitioners and people previously qualified or employed in the profession
24 for which a course is being offered.

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 **(7) Courses, instruction or training offered to prepare a student to become certified as**
2 **a nursing assistant or a medication aide in compliance with standards prescribed by the**
3 **Oregon State Board of Nursing.**

4 [(7)] **(8)** Schools that the Superintendent of Public Instruction:

5 **(a)** Determines are adequately regulated by other means that guarantee the school meets the
6 standards [of] **described in ORS 345.325[.]; and**

7 **(b) As a result of the determination described in paragraph (a) of this subsection, grants**
8 **an exemption from the licensure requirements of ORS 345.010 to 345.450.**

9 [(8)] **(9)** Schools offering only review instruction to prepare a student to take an examination to
10 enter a profession, where the student has completed prior training related to the profession.

11 [(9)] **(10)** Schools described in ORS 348.597 and, except as provided in ORS 345.017, schools ap-
12 proved by the Higher Education Coordinating Commission to confer or offer to confer academic
13 degrees under ORS 348.606.

14 [(10)] **(11)** Any parochial or denominational institution providing instruction or training relating
15 solely to religion and that does not grant degrees.

16 **SECTION 2.** ORS 345.015, as amended by section 21, chapter 104, Oregon Laws 2012, is
17 amended to read:

18 345.015. ORS 345.010 to 345.450 do not apply to:

19 (1) Instruction or training solely avocational or recreational in nature or to institutions offering
20 such education exclusively.

21 (2) Instruction or training sponsored or offered by a bona fide trade, business, professional or
22 fraternal organization or by a business [solely] **primarily** for the organization's membership or the
23 business's employees.

24 (3) Instruction or training sponsored, offered or contracted by organizations, institutions or
25 agencies, if the instruction or training is advertised or promoted to be in the nature of professional
26 self-improvement or personal self-improvement and the instruction or training is not:

27 (a) Advertised or promoted as leading to or fulfilling the requirements for licensing, certif-
28 ication, accreditation or education credentials; or

29 (b) Leading to an occupation, employment or other activity for which a person may reasonably
30 expect financial compensation.

31 (4) Courses offered in hospitals that meet standards prescribed by the American Medical Asso-
32 ciation or national accrediting associations for nursing.

33 (5) Courses, instruction or training offered for a limited number of hours, as defined by rule of
34 the Higher Education Coordinating Commission.

35 (6) Schools offering only courses of an advanced training or continuing educational nature when
36 offered solely to licensed practitioners and people previously qualified or employed in the profession
37 for which a course is being offered.

38 **(7) Courses, instruction or training offered to prepare a student to become certified as**
39 **a nursing assistant or a medication aide in compliance with standards prescribed by the**
40 **Oregon State Board of Nursing.**

41 [(7)] **(8)** Schools that the Higher Education Coordinating Commission:

42 **(a)** Determines are adequately regulated by other means that guarantee the school meets the
43 standards [of] **described in ORS 345.325[.]; and**

44 **(b) As a result of the determination described in paragraph (a) of this subsection, grants**
45 **an exemption from the licensure requirements of ORS 345.010 to 345.450.**

