

CONFERENCE COMMITTEE AMENDMENTS TO A-ENGROSSED SENATE BILL 1039

June 30

(No change in Measure Summary)

President Courtney:

Your Conference Committee to whom was referred A-engrossed Senate Bill 1039, having had the same under consideration, respectfully reports it back with the recommendation that the Senate concur in the House amendments dated June 6 and that the bill be amended as follows and repassed.

1 On page 1 of the printed A-engrossed bill, line 16, after “only” insert “associate,”.

2 On page 7, line 7, delete “section 1 of this 2005 Act” and insert “subsection (1) of this
3 section”.

4 After line 36, insert:

5 “**SECTION 10a. If Senate Bill 193 becomes law, section 10 of this 2005 Act (amending ORS**
6 **348.609) is repealed and ORS 348.609, as amended by section 4, chapter 196, Oregon Laws 2005**
7 **(Enrolled Senate Bill 193), is amended to read:**

8 “348.609. (1) [No] A person who has been warned by the Oregon Student Assistance Commission,
9 through the Office of Degree Authorization, to cease and desist [*shall*] **may not** claim or represent
10 that the person possesses any academic degree unless the degree has been awarded to or conferred
11 upon the person by a school that:

12 “(a) Has accreditation recognized by the United States Department of Education or the foreign
13 equivalent of such accreditation;

14 “(b) Has been approved by the Oregon Student Assistance Commission through the Office of
15 Degree Authorization to offer and confer degrees in Oregon;

16 “(c) Is described in [*ORS 348.594 (2)*] **section 1 of this 2005 Act**; or

17 “(d) Is located in the United States and has been found by the commission to meet standards
18 of academic quality comparable to those of an institution located in the United States that has ac-
19 creditation, recognized by the United States Department of Education, to offer degrees of the type
20 and level claimed by the person.

21 “**(2)(a) A person who has been awarded a degree from a school other than a school de-**
22 **scribed in subsection (1) of this section may claim or represent that the person possesses**
23 **an academic degree if the claim or representation is accompanied by a disclaimer that states:**
24 **‘(Name of school) does not have accreditation recognized by the United States Department**
25 **of Education and has not been approved by the Office of Degree Authorization.’**

26 “**(b) The disclaimer shall be made in any resume, letterhead, business card, announce-**
27 **ment or advertisement in which the person is claiming or representing to have an academic**
28 **degree from a school that does not meet the requirements of subsection (1) of this section.**

29 “**(c) This subsection does not alter any requirement for obtaining a license, admission**

1 **into a school, teaching or employment or for other areas in which a degree from an accred-**
2 **ited school is required.**

3 “[2] (3) The Oregon Student Assistance Commission shall adopt, by rule, standards and proce-
4 dures for responding to complaints about degree claims and for validation of degree claims. Failure
5 of a person to provide documentation of a claimed degree shall be prima facie evidence that the
6 claim of such person to such degree is a violation of this section.

7 “[3] (4) The Oregon Student Assistance Commission, by rule, may impose a fee on any school
8 or person requesting validation of degree claims. The amount of the fee shall be established to re-
9 cover designated expenses incurred by the commission in carrying out the administration of ORS
10 348.594 to 348.615. Any fees collected under this subsection shall be deposited in the Office of De-
11 gree Authorization Account established under ORS 348.601.

12 “[4(a)] (5)(a) The Oregon Student Assistance Commission, through the Office of Degree Au-
13 thorization, may cause a civil suit to be instituted in the circuit court for legal or equitable reme-
14 dies, including injunctive relief, to ensure compliance with this section. The commission may recover
15 attorney fees and court costs for any such action.

16 “(b) The commission shall adopt a schedule of civil penalties for violations of this section. A
17 civil penalty shall not exceed \$1,000 per violation.

18 “(c) In addition to any action or penalty provided by law, any person who violates this section
19 shall incur a civil penalty in an amount prescribed by the schedule adopted by the commission. Any
20 civil penalty imposed under this subsection shall be imposed in the manner provided in ORS 183.745.
21 All penalties recovered under this subsection shall be paid into the State Treasury and credited to
22 the General Fund.

23 “[5] (6) The provisions of [subsections (1) to (4) of] this section do not apply to a person who
24 is a graduate of a veterinary college, or a veterinary department of a university or college, of good
25 standing and repute, as determined by the Oregon State Veterinary Medical Examining Board.”.

26 /s/ Vicki Walker
27 Senator

28 /s/ Jeff Kruse
29 Senator

30 /s/ Charlie Ringo
31 Senator

32 /s/ John Dallum
33 Representative

34 /s/ Linda Flores
35 Representative

36 /s/ Arnie Roblan
37 Representative
38