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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 8-239

"Education Licensure Commission Amendments
Act of 1990".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 8-584 on first and second readings, December 4, 1990, and December 18, 1990, respectively. Following the signature of the Mayor on December 27, 1990, this legislation was assigned Act No. 8-322, published in the January 11, 1991, edition of the D.C. Register, (Vol. 38 page 333) and transmitted to Congress on January 15, 1991 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 8-239, effective March 8, 1991.



JOHN A. WILSON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 15,16,17,18,22,23,24,25,28,29,30,31

February 1,4,5,6,7,19,20,21,22,25,26,27,28

March 1,4,5,6,7

AN ACT

D.C. ACT 8-322

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DEC. 27, 1990

To amend the Education Licensure Commission Act of 1976.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Education Licensure
Commission Amendments Act of 1990".

Sec. 2. The Education Licensure Commission Act of
1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Code,
sec. 31-1601 et seq.), is amended as follows:

(a) Section 201(g) (D.C. Code, sec. 31-1602(7)) is Section
31-1602
amended to read as follows:

"(g) "Education", "educational service", or like term
means a class, course, or program of instruction or study at
the postsecondary level in whatever form, manner, or medium
provided, whether by personal attendance or
correspondence."

(b) Section 201(m) (D.C. Code, sec. 31-1602(13)) is Section
31-1602
amended to read as follows:

"(m) "Proprietary school" means any privately-owned
educational institution operated for a profit."

(c) Section 6 (D.C. Code, sec. 31-1606) is amended as Section
31-1606
follows:

(1) Subsection (b)(1)(B) (D.C. Code, sec.
31-1606(a)(1)(B)) is amended to read as follows:

"(B) Once a provisional license has been
awarded, the Commission shall award a permanent license,
subject to periodic review in accordance with subsection (c)
of this section, if the Commission determines that an
accredited educational institution is in full compliance
with the provisions of this title."

(2) Subsection (c) (D.C. Code, sec. 31-1606(b))
is amended as follows:

(A) Paragraph (1) is amended to read as
follows:

"(1) The Commission may undertake the following:

"(A) An independent evaluation of an educational institution's facilities and programs that are located in the District for purposes of initial licensure of an educational institution;

"(B) A periodic review of any non-accredited degree-granting licensee;

"(C) A periodic review of any non-degree granting educational institution; and

"(D) A periodic review of any branch or extension of an accredited degree-granting licensee that is located outside of the District."

(B) Paragraph (2) is amended by adding the phrase "a branch or extension" after the word "operate".

(C) Paragraph (3) is amended by striking the phrase "within the District" wherever it appears after the word "programs".

(D) A new paragraph (4) is added to read as follows:

"(4) The Commission may make an on-site investigation as authorized by this subsection to conduct any evaluation authorized by this subsection and to investigate a complaint or other appearance of failure by a licensee to comply with the requirements of this act."

(3) Subsection (e) (D.C. Code, sec. 31-1606(d)) is amended by striking the phrase "degree-granting" in the 1st sentence.

(d) Section 7(c)(1) (D.C. Code, sec. 31-1607(3)(A)) is amended by inserting the phrase "and has no other repository for its records" in the 1st sentence after the word "operation".

Section
31-1607

(e) Section 10 (D.C. Code, sec. 31-1610) is amended as follows:

Section
31-1610

(1) Subsection (a)(4) is amended to read as follows:

"(4) Education offered by an eleemosynary or non-profit institution, organization, or agency, if no fee is charged for the education and no credit toward a degree or any degree, diploma, or certificate is awarded;"

(2) Subsection (b)(2) is amended to read as follows:

"(2) It is accredited by a regional accrediting association recognized by the United States Department of Education; and"

(3) Subsection (c) is amended as follows:

(A) By striking the phrase "an accrediting association" and inserting the phrase "a regional accrediting association" in its place;

(B) By striking the phrase "the accrediting association" and inserting the phrase "the regional accrediting association" in its place; and

(C) By adding the phrase "by the regional accrediting association" after the word "status".

(4) A new subsection (h) is added to read as follows:

"(h) Any self study undertaken by an educational institution as part of the accreditation process, any site evaluation by an accrediting association, or any other report submitted by the educational institution to the accrediting association or by the accrediting association to the educational institution that contains an evaluation judgment about the institution that is not prepared for publication shall, when submitted to the Commission in accordance with this act, be exempt from public disclosure under the provisions of the Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96, D.C. Code, sec. 1521, et seq.), and the Commission shall not disclose the report or take official licensure action solely on the basis of the contents of the report. The Commission shall disclose whether or not an educational institution has received the award, reaffirmation, amendment, or revocation of accreditation from an accrediting association."

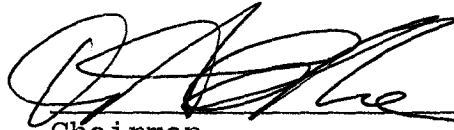
(f) Section 11 (D.C. Code, sec. 31-1611) is amended by adding a new sentence at the end to read as follows:

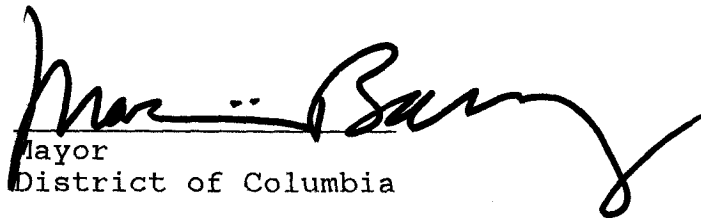
Section
31-1611

"The rules may allow the Commission to waive the surety requirement for a financially sound, non-profit institution that has been licensed for 5 consecutive years."

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia

Statutes-at-Large, or the District of Columbia Municipal Regulations.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: December 27, 1990



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE
 DOCKET NO: B8-584

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 12-04-90

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (/ /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell G. Smith Secretary to the Council

21 December 1990
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 12-18-90

VOICE VOTE: Approved

Recorded vote on request

Absent: Wilson

ROLL CALL VOTE: — RESULT _____ (/ /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell G. Smith Secretary to the Council

21 December 1990
Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: — RESULT _____ (/ /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date