Chapter 250-61 WAC
REGULATIONS FOR DEGREE-GRANTING INSTITUTIONS ACT

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WAC

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250-61-150 Tuition recovery trust fund account requirements. [Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-150, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-150, filed 11/20/86.] Repealed by WSR 98-08-005, filed 3/18/98, effective 4/18/98.

250-61-220 Hearings. [Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-220, filed 12/8/94, effective 1/8/95.] Repealed by WSR 09-02-008, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.76.120 and 28B.85.020.

WAC 250-61-010 Purpose. The Degree-Granting Institutions Act, chapter 28B.85 RCW, requires that degree-granting institutions operating in Washington obtain authorization from the Washington student achievement council, unless specifically exempted from the authorization requirement by the act. This chapter is declared by the council as a supplement to the act in order to establish necessary regulations for the authorization of degree-granting institutions.

The purpose of the act is to ensure fair business practices and adequate quality among degree-granting institutions operating in the state of Washington and to protect citizens against substandard, fraudulent, and deceptive practices.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-010, filed 7/28/26, effective 8/28/26. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 15-02-021, § 250-61-010, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-010, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-010, filed 12/8/94, effective 1/8/95; WSR 93-01-103, § 250-61-010, filed 12/17/92, effective 1/17/93; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-010, filed 11/20/86.]

WAC 250-61-020 Applicability. A degree-granting institution shall not operate, conduct business, grant, or offer to grant any aca-

demic courses or degree programs unless the institution has obtained authorization from the council, been granted a waiver of the requirements of authorization, or been determined by the council to be exempt.

The act applies to:

(1) Institutions granting or offering to grant degree programs and/or academic credit courses either at or from a location within the state; and

(2) Institutions maintaining or advertising a Washington location, mailing address, or telecommunications number for any purpose other than contact with the institution's former students; and

(3) Institutions specifically targeting Washington citizens with promotion of their degree programs and/or academic credit courses.

The act does not apply to degree programs and academic credit courses offered exclusively from outside the state through individual and private interstate communication except as specified in WAC 250-61-145.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-020, filed 7/28/26, effective 8/28/26; WSR 20-07-008, § 250-61-020, filed 3/5/20, effective 4/5/20. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-020, filed 1/4/19, effective 2/4/19; WSR 15-02-021, § 250-61-020, filed 12/30/14, effective 1/30/15; WSR 09-20-033, § 250-61-020, filed 9/30/09, effective 10/31/09; WSR 09-02-008, § 250-61-020, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-020, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-020, filed 11/20/86.]

WAC 250-61-030 Delegation and council supervision. Unless otherwise indicated, the council delegates authority for administering the act and these rules to the executive director.

Actions taken pursuant to these rules by the executive director or designee shall be subject to supervision by the council.

Such actions shall be reported periodically to the council for its review.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 15-02-021, § 250-61-030, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-030, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-030, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-030, filed 11/20/86.]

WAC 250-61-040 Duties of executive director. In addition to other administrative responsibilities vested in the executive director of the Washington student achievement council under the act and this chapter, the executive director shall carry out the following administrative responsibilities:

(1) Process authorization applications, fee payments, bonds or security deposits, to include the denial and issuance of authorization, signed by the executive director or designee.

(2) Cause the payment of any unsatisfied final judgment against an authorized institution from the resources available through the

tuition recovery trust fund or the institution's surety bond or other security deposit.

(3) Upon written notice from an authorized institution, release the surety on the institution's bond or return the institution's security deposit, as prescribed in RCW 28B.85.070.

(4) In the event of impaired liability of the security, notify the institution of suspension until the security liability in the required amount, unimpaired by unsatisfied judgment claims, shall have been furnished.

(5) To the extent that there is a payment, release the security to the extent of the payment.

(6) Establish and maintain all records called for under the provisions of the act and this chapter.

(7) Maintain a current inventory of degree-granting institutions authorized or exempted under this chapter, including student complaints against such institutions.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-040, filed 7/28/26, effective 8/28/26; WSR 20-07-008, § 250-61-040, filed 3/5/20, effective 4/5/20. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 15-02-021, § 250-61-040, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-040, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-040, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-040, filed 11/20/86.]

WAC 250-61-050 Definitions. The definitions set forth in this section are intended to supplement the definitions in chapter 28B.85 RCW and shall apply throughout this chapter.

(1) "Accredited institution" means an institution that has been accredited by an accrediting association recognized by the council.

(2) "Accrediting association" means an accrediting association that is recognized by the council.

(3) "Act" means the Degree-Granting Institutions Act, chapter 28B.85 RCW.

(4)(a) "Administrative capability" means that both administrative services and educational instruction take place at an authorized location.

(b) "Additional site" means a site with administrative capability that is not currently authorized.

(5) "Adverse action" means a warning or other sanction issued by the institution's accrediting association, the United States Department of Education, or a state regulatory entity; a judgment against an institution that may impact ongoing operations; or any action, decision, or finding that impacts the institution's financial solvency.

(6) "At-risk" means a designation made by the council based on an adverse action or other findings that indicate a heightened potential of closure or other negative impacts on students.

(7) "Authorization" means the authority to operate in Washington state as a degree-granting institution.

(a) "Standard authorization" means authorization granted to institutions seeking to operate in Washington, but does not include institutions seeking field placement authorization only.

(b) "Field placement authorization" means authorization granted to institutions seeking authorization solely to offer required field

placements at locations in Washington as part of distance learning programs.

(8) "Authorized institution" means an institution that has been granted authorization by the council under this chapter and maintains such authorization status.

(9) "Council" means the student achievement council, a Washington state agency, as established under chapter 28B.77 RCW.

(10) "Credit" generally means the unit by which an institution measures its course work. The number of credits assigned to a course is generally defined by the number of hours per week in class and preparation and the number of weeks in a term. One credit is usually assigned for three hours of student work per week or its equivalent. The three hours of student work per week is usually comprised of a combination of one hour of lecture and two of homework or three hours of laboratory. Semester and quarter credits are the most common systems of measuring course work. A semester credit is generally based on at least a 15 week calendar or 45 hours of student work. A quarter credit is generally based on at least a 10 week calendar or 30 hours of student work.

(11) "Degree" means any designation, appellation, letters, or words including, but not limited to, "associate," "bachelor," "master," "doctor," or "fellow" which signify or imply satisfactory completion of the requirements of an academic program of study at the postsecondary level.

(a) "Associate degree" means a lower division undergraduate degree that requires no fewer than 60 semester hours or 90 quarter hours.

(b) "Bachelor's degree" or "baccalaureate degree" means an undergraduate degree that requires no fewer than 120 semester hours or 180 quarter hours.

(c) "Master's degree" means a graduate degree that requires no fewer than 24 semester hours or 36 quarter hours beyond the baccalaureate degree.

(d) "Doctor's degree" or "doctorate" means a postgraduate degree that requires no fewer than 60 semester hours or 90 quarter hours beyond the baccalaureate degree.

(12) "Degree-granting institution" means an entity that offers educational credentials, instruction, or services prerequisite to or indicative of a degree.

(a) "College" means an institution which offers programs culminating with associate and/or baccalaureate degrees. In some instances, a college may also offer first professional degree programs and/or graduate programs culminating with master's degrees.

(b) "University" means a multiunit institution with varied educational roles including instruction, promotion of scholarship, preservation and discovery of knowledge, research and public service. Such institutions provide a wide range of undergraduate and graduate studies, programs in professional fields, and may also provide programs leading to a doctorate.

(c) "Private vocational school" means a nonpublic entity that offers postsecondary programs designed to prepare individuals with the skills and training required for employment in a specific trade, occupation, or profession related to the educational program.

(13) "Distance learning" means a form of educational instruction other than classroom instruction to include, but not limited to, correspondence, video-conferencing, television, internet transmission, or other electronic communication.

(14) "Executive director" means the executive director of the council or the executive director's designee.

(15) "Exempt institution" means an institution that has been granted exemption by the council under this chapter and maintains such exempt status.

(16) "Faculty" means personnel who are appointed by the institution for purposes of teaching, research, mentoring, advisory roles and/or other activities relating to the development and delivery of the instructional programs of the institution.

(17) "False academic credential" means a document that signifies or implies satisfactory completion of the requirements of an academic program of study beyond the secondary level issued by a person or entity that:

(a) Is not accredited by a council-recognized accrediting association or does not have the international equivalent to such accreditation; or

(b) Is not authorized by the council; or

(c) Has not been exempted or granted a waiver from the requirements of authorization by the council.

Additionally, it can mean a credential falsely claimed to have been earned from an institution accredited by a council-recognized accrediting association; authorized by the council; or that has been exempted or granted a waiver by the council.

(18) "Field placement" means a student learning experience comprised primarily of the practical application of previously studied theories and skills. Examples include, but are not limited to, clinicals, student teaching, and practica.

(19) "Operate" means, but is not limited to, the following:

(a) Offering courses for academic credit at any Washington location or via distance learning from a Washington location.

(b) Granting or offering to grant degrees in Washington for credit obtained within or outside the state.

(c) Maintaining or advertising a Washington location, mailing address, or telecommunications number for any purpose other than contact with the institution's former students for any legitimate purpose related to their previous attendance.

(d) Maintaining or advertising an application for enrollment or a mechanism to collect prospective student data in any advertisement, publication, website, software application, or other media, if the institution maintains a Washington location.

(e) Advertising, promoting, publicizing, soliciting, or recruiting for the institution or its offerings that is targeted specifically at Washington citizens, excluding multi-institutional college fairs.

(20) "Oversight entity" includes, but is not limited to, the following:

(a) Any federal or state entity that provides financial aid to students of the institution or approves the institution for participation in a financial aid program;

(b) Any state or federal attorney general's office or department of justice;

(c) Any regulator that approves the operation of a postsecondary degree-granting institution;

(d) The federal consumer financial protection bureau or the federal securities and exchange commission; and

(e) Any accrediting agency.

(21)(a) "Program of study" means any course or grouping of courses prerequisite to or indicative of a degree.

(b) "Additional program" means a degree program that:

(i) Differs in title and curriculum from any currently authorized program; or

(ii) Is comprised of a curriculum that is 25 percent or more different in content than any currently authorized program.

(22) "Resident-based instruction" means a course or series of courses or degree programs which are taught by faculty at a specific location where students physically attend the course or program.

(23) "State authorization reciprocity agreement" means an agreement between states, districts, and/or territories related to the regulatory oversight of institutions that offer courses or programs via distance education to students located in other states.

(24) "Student loan product" means a loan or income share agreement solely for personal use to finance postsecondary education. A student loan product includes a loan made to refinance a student loan product. A student loan product does not include a payment plan or accounts receivable during the time of a student's enrollment in the degree-granting institution.

(25) "Suspend" means that, due to deficiencies, the council interrupts for a stated time the institution's authority to recruit and enroll new students, but it may continue serving currently enrolled students for the remainder of the term. Authorization or exemption may be reinstated, provided the deficiencies have been resolved to the satisfaction of the council.

(26) "Withdraw" means that, due to significant deficiencies or failure to meet the criteria of authorization or exemption, the council has withdrawn the authorization or exemption granted to an institution. Upon withdrawal, the institution must cease all degree-granting operations immediately.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-050, filed 7/28/26, effective 8/28/26; WSR 20-07-008, § 250-61-050, filed 3/5/20, effective 4/5/20. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-050, filed 1/4/19, effective 2/4/19; WSR 17-09-041, § 250-61-050, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-050, filed 12/30/14, effective 1/30/15; WSR 12-09-037, § 250-61-050, filed 4/11/12, effective 5/12/12; WSR 09-20-033, § 250-61-050, filed 9/30/09, effective 10/31/09; WSR 09-02-008, § 250-61-050, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-050, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-050, filed 11/20/86.]

WAC 250-61-060 Exemption criteria. No exemption from the requirements for degree authorization is considered to be permanent. The exemption granted is dependent upon the institution's maintenance of the conditions under which the exemption was granted.

No exemption shall suspend, supersede, or reduce student consumer protections or the authority of the council to investigate and enforce provisions of this chapter. The council may require an exempt institution to periodically submit materials demonstrating the institution's compliance with the act's student consumer protection requirements.

Unless otherwise indicated, the provisions of this chapter do not apply to:

(1) Honorary credentials clearly designated as such on the front side of the diploma or certificate and awarded by institutions offering other educational credentials in compliance with state law.

(2) Any public college, public university, public community college, or public technical college or institute operating as part of the public higher education system of this state.

(3) Institutions that have received institutional accreditation from an association recognized by the council, provided:

(a) The institution has been continuously offering degree program(s) in Washington for 15 years or more; and

(b) The institution was established originally within the state of Washington and has operated as the same organization continuously from that date until the present. An institution is considered to have operated as the same organization continuously if it has no significant alteration of primary location, ownership, majority control, other than routine board membership turnover, or incorporation and no closure involving cessation of substantially all organized instructional and administrative activity; and

(c) The institution has been accredited as a degree-granting institution for 10 years or more by an accrediting association recognized by the council and maintains such accreditation status; and

(d) The institution maintains eligibility to participate in Title IV financial aid programs; and

(e) The institution maintains adequate financial resources necessary to sustain its purpose and commitment to students.

(4) A branch campus, extension center, or off-campus facility operating within the state of Washington, which is affiliated with a nonprofit institution domiciled outside this state, provided:

(a) It has continuously offered degree programs in Washington for 10 years or more; and

(b) It has been continuously authorized to offer degree programs in its home state for 20 years or more; and

(c) It has been continuously accredited as a degree-granting institution for 10 years or more by an accrediting association recognized by the council and maintains such accreditation status; and

(d) It maintains eligibility to participate in Title IV financial aid programs; and

(e) It is a doctoral-granting university classified with the highest possible level of research activity by the Carnegie Classification of Institutions of Higher Education;

(f) It maintains adequate financial resources necessary to sustain its purpose and commitment to students; and

(g) It maintains ongoing compliance with the requirements for authorization specified in this chapter. If an institution fails to maintain compliance with such requirements, the council may:

(i) Deny an application for exemption; or

(ii) Suspend or withdraw an existing exemption.

(5) Institutions offering instruction on a federal enclave solely to federal employees and their dependents. If the institution offers or advertises instruction for other persons, the institution shall be subject to authorization.

(6) Institutions recognized by the Washington state legislature as an accredited Washington degree-granting institution, provided the institution maintains all conditions specified in the legislation as part of the recognition.

(7) Tribally controlled Native American colleges.

(8) Institutions which offer program(s) of study whose sole stated objective is training in the religious beliefs of the controlling religious organization and/or preparation of students for occupations that are primarily religious organization-related, provided:

(a) The institution's mission reflects its religious nature; and

(b) The institution's degree program(s) in title and abbreviation, curriculum content, and objectives reflect the strictly religious nature of the institution; and

(c) The institution's program(s) require a prescribed program of study, which must be successfully completed prior to the granting of a degree; and

(d) The institution's program(s) of study are represented in an accurate manner in institutional catalogs, websites, and other official published materials; and

(e) The institution does not claim or publicize accreditation from an accrediting association that is not recognized by the council.

(9) In the case of institutions which offer both religious and secular programs, the secular programs shall be subject to the requirements of chapter 28B.85 RCW.

(10) Institutions not otherwise exempt which offer only workshops and seminars and institutions offering only credit-bearing workshops or seminars lasting no longer than three calendar days.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-060, filed 7/28/26, effective 8/28/26. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 17-09-041, § 250-61-060, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-060, filed 12/30/14, effective 1/30/15; WSR 12-09-037, § 250-61-060, filed 4/11/12, effective 5/12/12; WSR 09-20-033, § 250-61-060, filed 9/30/09, effective 10/31/09; WSR 09-02-008, § 250-61-060, filed 12/29/08, effective 1/29/09. Statutory Authority: Chapter 28B.85 RCW. WSR 99-06-022, § 250-61-060, filed 2/22/99, effective 3/25/99. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-060, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-060, filed 11/20/86.]

WAC 250-61-063 Exemption requirements. In order to apply for and maintain an exemption from the requirements for degree authorization, an institution must comply with the following:

(1) The chief academic officer of the institution shall contact council staff and arrange for a preliminary conference to discuss the exemption criteria and procedures pertaining to the request for exemption.

(2) Any institution granted exemption from the requirements for degree authorization may be subject to periodic review by the council to ensure that all criteria for the exemption continue to be met. The institution is to provide all information requested by the council to assist in making this determination.

(3) The institution shall inform the council immediately of any proposed changes within the institution and/or its offerings that may affect the exemption granted.

(4) The council may suspend or withdraw the exemption granted to an institution that fails to maintain the conditions under which the exemption was granted; is designated as being on probationary or show cause status or its equivalent by the institution's accrediting agency; engages in false advertising; or allows misleading representations

to be made on its behalf. Suspension shall allow the institution a prescribed period of time to address the issues that may have brought the suspension. Withdrawal shall require the institution to cease all degree-granting activities immediately.

(5) In the case of religious exemption, a religious institution shall be required to place the following statement in a prominent position within any catalog, general bulletins, websites, and course schedules: "The Washington student achievement council has determined that (name of institution) qualifies for religious exempt status from the Degree-Granting Institutions Act for the following programs: (List). The council makes no evaluation of the administration, faculty, business practices, financial condition, or quality of the institution's degree programs. If you have questions about this information, you may contact the council at P.O. Box 43430, Olympia, WA 98504-3430 or by email at degreeauthorization@wsac.wa.gov."

(6) An exempt institution is required to notify the council of any adverse action within 30 days of the action being taken.

(7) In the event an exempt institution plans to discontinue operations in Washington, it is subject to closure procedures as outlined in WAC 250-61-160.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-063, filed 7/28/26, effective 8/28/26. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 17-09-041, § 250-61-063, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-063, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-063, filed 12/29/08, effective 1/29/09.]

WAC 250-61-065 Waiver of requirements. The council may waive or modify the authorization requirements contained in this chapter for a particular institution if the council finds that such waiver or modification will not frustrate the purposes of this chapter; and (1) that literal application of this chapter creates a manifestly unreasonable hardship on the institution; or (2) is an institution based out-of-state that provides distance learning courses and/or programs to Washington state residents under a state authorization reciprocity agreement entered into by the council. No waiver granted under this chapter is permanent. The council will periodically review institutions granted waivers and continue the waiver only if the conditions under which the waiver was initially granted remain in effect.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 17-09-041, § 250-61-065, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-065, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-065, filed 12/29/08, effective 1/29/09.]

WAC 250-61-070 Applicability to private vocational schools. Degree-granting private vocational schools' programs shall be regulated pursuant to the terms of an interagency agreement between the council and the work force training and education coordinating board. As stipulated in the interagency agreement, degree programs shall be regulated by the council and nondegree programs shall be regulated by the work force training and education coordinating board. Copies of the agreement are available from either agency upon request.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 17-09-041, § 250-61-070, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-070, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-070, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-070, filed 12/8/94, effective 1/8/95; WSR 93-01-103, § 250-61-070, filed 12/17/92, effective 1/17/93; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-070, filed 11/20/86.]

WAC 250-61-080 Authorization standards. These standards form the basis for the review of an institution and guide the decisions of the council. To receive authorization, the institution shall meet all of the specific requirements of this chapter.

Degree-granting institutions authorized to operate under this chapter shall demonstrate a commitment to academic excellence and student success.

[Statutory Authority: RCW 28B.85.020. WSR 20-07-008, § 250-61-080, filed 3/5/20, effective 4/5/20. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-080, filed 1/4/19, effective 2/4/19; WSR 17-09-041, § 250-61-080, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-080, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-080, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-080, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-080, filed 11/20/86.]

WAC 250-61-085 Accreditation requirements. An institution operating in Washington shall:

(1) Be accredited by an accrediting association recognized by the council; or

(2) Have applied for accreditation to an accrediting association recognized by the council and such application is pending before the accrediting association; or

(3) Have been granted a temporary waiver by the council of the requirement for accreditation based upon submission of a plan for accreditation as outlined in the initial authorization application; or

(4) Have been granted an exemption by the council of the requirement for accreditation based upon the following condition: The institution has filed, and kept current with appropriate amendments, at the council an affidavit by each president of two separate accredited colleges or universities accredited by an accrediting association recognized by the council and stating that the majority of course credits offered by the unaccredited institution are generally acceptable or transferable to the accredited college or university which each president represents.

(5) An institution whose primary campus is located in another state shall be accredited by an accrediting association recognized by the council prior to authorization to operate in Washington state.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-085, filed 7/28/26, effective 8/28/26. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 17-09-041, § 250-61-085, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-085, filed 12/30/14, effective

1/30/15; WSR 12-09-037, § 250-61-085, filed 4/11/12, effective 5/12/12; WSR 09-20-033, § 250-61-085, filed 9/30/09, effective 10/31/09; WSR 09-02-008, § 250-61-085, filed 12/29/08, effective 1/29/09.]

WAC 250-61-090 Administrative requirements. (1) Name. The official name of the institution shall be consistent with, and appropriate to, the program(s) of study offered.

(2) Purpose. The institution shall clearly define its purpose or mission in an official statement which describes its role in higher education. The statement shall reflect the practices of the institution.

(3) Administration and governance. The institution shall be governed by bylaws or policies defining a chain of authority and responsibility and shall maintain sufficient administrative stability to fulfill its purpose.

(a) Administrators shall normally be graduates of accredited institutions and have academic credentials and prior higher education administrative experience for their area of responsibility.

(b) The main campus of the institution shall have, as a minimum, personnel to adequately staff the following roles: A chief executive officer, academic officer, registrar, business officer, student services officer, library director, and, if financial aid services are offered, financial aid officer. These officers shall be accessible to students, faculty, and other personnel located at the main campus and at educational sites or centers in Washington. In the event that the proposed Washington site is a branch campus of an out-of-state institution, the branch campus shall also have sufficient personnel to adequately serve the students at that location.

(i) The chief executive and academic officers shall have at least a master's degree from an accredited institution and experience in college-level management, teaching, and academic administration, unless the institution can demonstrate that these are not the normally accepted standards for an institution offering the same level of instruction.

(ii) The registrar shall have at least a baccalaureate degree from an accredited institution and college-level experience in admissions and student records, unless the institution can demonstrate that these are not the normally accepted standards for an institution offering the same level of instruction.

(iii) The business, student services, and financial aid officers and library director shall have at least a baccalaureate degree from an accredited institution and experience in their assigned areas, unless the institution can demonstrate that these are not the normally accepted standards for an institution offering the same level of instruction.

(c) The institution shall specify an individual who will serve as the principal contact person for each educational site or academic center in Washington.

(d) The institution shall have policies and provisions for the involvement of faculty in the academic affairs, curriculum development, and governance of the institution.

(e) The institution shall have policies and provisions for faculty selection, orientation, teaching load, supervision, evaluation, and professional development.

(4) The institution shall not offer performance-based compensation to staff or administrators whose responsibilities include the recruitment or admission of students or the supervision of staff involved in the recruitment or admission of students.

(5) The following conditions shall disqualify an individual as an administrator or owner of a degree-granting institution:

(a) Conviction of a felony that is related to the administration of a degree-granting institution or any standard contained in this chapter within the past 10 years;

(b) Involuntary surrender of authorization or a license to operate a school as the result of any action by the council or an oversight entity;

(c) Having been served with a cease and desist order for activities in violation of any applicable law or regulation; or

(d) Withdrawal of a license to operate an institution or denial of a renewal of authorization because of violation of any applicable law or regulation; or

(e) Having been found in violation of any law or regulation applicable to the operation of a postsecondary institution.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-090, filed 7/28/26, effective 8/28/26; WSR 20-07-008, § 250-61-090, filed 3/5/20, effective 4/5/20. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-090, filed 1/4/19, effective 2/4/19; WSR 12-09-037, § 250-61-090, filed 4/11/12, effective 5/12/12; WSR 09-20-033, § 250-61-090, filed 9/30/09, effective 10/31/09; WSR 09-02-008, § 250-61-090, filed 12/29/08, effective 1/29/09. Statutory Authority: Chapter 28B.85 RCW. WSR 99-06-021, § 250-61-090, filed 2/22/99, effective 3/25/99. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-090, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-090, filed 11/20/86.]

WAC 250-61-100 Academic requirements. (1) Educational programs. Each program shall require the completion of a prescribed program of study leading to the attainment of competence in an interdisciplinary area or specific field of study. Programs shall generally meet the guidelines or standards of an accrediting association recognized by the council that accredits similar programs of study.

(a) Associate degrees:

(i) An associate degree shall require at least 90 quarter credits or 60 semester credits.

(A) An associate degree intended for occupational preparation shall require, as a minimum, general education requirements that comprise a recognizable body of instruction in three program-related areas:

(I) Communications;

(II) Computation; and

(III) Human relations.

(B) The general education requirements of all other associate degrees shall be consistent with the current guidelines of Washington's direct transfer agreement associate degree.

(ii) The following associate degree designations shall be acceptable:

(A) The associate of arts (A.A.), and associate of science (A.S.) for programs which emphasize the liberal arts and sciences. These pro-

grams generally satisfy the general education requirements for a baccalaureate degree and are transfer oriented.

(B) The associate in applied technology (A.A.T.), associate in applied science (A.A.S.), associate of occupational science (A.O.S.) and other such applied or technology-related degree designations for programs which emphasize preparation for occupations at the technical level. These programs generally do not satisfy the general education requirements for a baccalaureate degree and are not transfer-oriented.

(b) Baccalaureate degrees: A baccalaureate degree shall require at least 180 quarter credits or 120 semester credits. The degree shall require a distinct major and, as a minimum, 25 percent of the program shall be in general education curricula.

(c) Master's degrees:

(i) A master's degree program shall require at least 36 quarter credits or 24 semester credits, specialization in an academic or professional area, and a demonstration of mastery.

(ii) The following master's degree designations shall be acceptable:

(A) The master of arts (M.A.) and master of science (M.S.) for programs which advance study and exploration in the discipline. The majority of credit for M.A. and M.S. degrees shall be at the graduate level in the major field.

(B) The master of business administration (M.B.A.), master of fine arts (M.F.A.), master of education (M.Ed.), etc. for programs which emphasize professional preparation.

(d) Doctoral degrees:

(i) Doctoral degree programs shall provide a broad range of advanced course offerings, faculty in ancillary and supporting fields, access to adequate laboratory and research facilities, and a wide range of current reference materials in the subject field. A doctoral degree shall require at least three full academic years of specialized postbaccalaureate study. To obtain a doctoral degree a student shall be required to demonstrate, through comprehensive examination, the ability to perform research at the level of the professional scholar or perform the work of a professional that involves the highest levels of knowledge and expertise.

(ii) The following doctoral degree designations shall be acceptable:

(A) The doctor of philosophy (Ph.D.) degree for programs which are oriented toward original research and require a dissertation.

(B) A professional doctoral degree (J.D., Ed.D., etc.) for programs which emphasize technical knowledge and professional competence and require either a research thesis or a project involving the solution of a substantial problem of professional interest.

(e) Distance learning program(s) shall meet the following guidelines:

(i) Online learning is appropriate to the institution's mission and purposes;

(ii) The institution's plans for developing, sustaining, and, if appropriate, expanding online learning offerings are integrated into its regular planning and evaluation processes;

(iii) Online learning is incorporated into the institution's systems of governance and academic oversight;

(iv) Curricula for the institution's online learning offerings are coherent, cohesive, and comparable in academic rigor to programs offered in traditional instructional formats;

(v) The institution evaluates the effectiveness of its online learning offerings, including the extent to which the online learning goals are achieved, and uses the results of its evaluations to enhance the attainment of the goals;

(vi) Faculty responsible for delivering the online learning curricula and evaluating the students' success in achieving the online learning goals are appropriately qualified and effectively supported;

(vii) The institution provides effective student and academic services to support students enrolled in online learning offerings;

(viii) The institution provides sufficient resources to support and, if appropriate, expand its online learning offerings; and

(ix) The institution assures the integrity of its online offerings.

(f) Prior experiential learning.

(i) Credit for prior experiential learning may be awarded when validated through a portfolio or similar assessment procedure. The institution shall maintain copies of examinations, portfolios, and evaluations used in this process.

(ii) Credit awarded for prior experiential learning at the undergraduate and graduate level must be consistent with the minimum standards as published by the institution's accrediting association. This subsection applies to institutions that meet WAC 250-61-085 (1), (2), or (3).

(iii) Prior experiential learning credit shall constitute no more than 25 percent of an undergraduate or graduate degree program. This subsection applies to institutions that meet WAC 250-61-085(4).

(2) Faculty.

(a) Faculty shall be professionally prepared and graduates of accredited institutions and, as a group, the institutions from which they earned their degrees shall be diverse.

(b) Faculty shall be sufficient in number and kind and in the proportion of full-time and part-time positions to sustain rigorous courses, programs, and services.

(c) Faculty teaching academic courses at the undergraduate degree level shall have, as a minimum, a master's degree in the assigned or related program area from an accredited institution. Faculty assigned to teach in vocational-technical subjects shall have educational credentials and experience compatible with their teaching assignment. Faculty assigned to teach general education courses within any undergraduate program shall have, as a minimum, a master's degree in a related area from an accredited institution.

(d) Faculty teaching at the master's degree level in programs which emphasize advanced study and exploration in a discipline shall have an earned doctorate in a related field from an accredited institution and experience in directing independent study and research. Faculty teaching in master's programs which emphasize professional preparation shall have, as a minimum, a master's degree from an accredited institution and documented achievement in a related field.

(e) Faculty teaching at the doctoral level shall have an earned doctorate in a related field from an accredited institution and experience in teaching and directing independent study and research.

(3) Admissions. Admission requirements shall be based on the institution's objectives and consistently applied to each program of study. Through preenrollment assessments, testing, and advising, the institution shall determine the readiness and ability of each student to succeed in his/her degree program. Institutions shall use only those tests reviewed and approved by the U.S. Department of Education.

High school graduation or the equivalent shall be required for undergraduate admission. A baccalaureate degree or the equivalent shall be required for admission into graduate programs. Special undergraduate admission may be granted, based on the applicant's general educational development.

(4) Enrollment contract. If an enrollment contract is utilized, the institution shall discuss all terms and provisions of the contract with the student prior to the student's execution of the contract. The contract shall contain an acknowledgment section directly above the student's signature blank for the student to acknowledge that the institution discussed all terms and provisions of the contract with the student and that the student understands all financial obligations and responsibilities.

(5) The institution's educational offerings shall be limited to students located in the United States and its territories until such time as it has achieved accreditation by an accrediting association recognized by the council.

(6) Evaluation. The institution shall provide evidence that it has procedures for continuing evaluation and improvement of educational programs, quality of instruction, and overall operations of the institution.

(a) Student, alumni, and employer evaluations of the effectiveness of the curricula shall be considered in these evaluations.

(b) The institution's chief academic officer or designee shall periodically evaluate all areas of the institution to determine their effectiveness in fulfilling institutional objectives and meeting the standards set forth in these regulations or implied in the statute. The results of those evaluations shall be submitted to council staff upon request.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-100, filed 7/28/26, effective 8/28/26; WSR 20-07-008, § 250-61-100, filed 3/5/20, effective 4/5/20. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-100, filed 1/4/19, effective 2/4/19; WSR 17-09-041, § 250-61-100, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-100, filed 12/30/14, effective 1/30/15; WSR 12-09-037, § 250-61-100, filed 4/11/12, effective 5/12/12; WSR 09-20-033, § 250-61-100, filed 9/30/09, effective 10/31/09; WSR 09-02-008, § 250-61-100, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-100, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-100, filed 11/20/86.]

WAC 250-61-110 Student services and instructional resources requirements. (1) Student services. The institution shall provide reasonable and appropriate services for students in addition to formal instruction. These services shall normally include admissions, advising and guidance, financial assistance, student records, and disability accommodation.

(a) Advising and guidance services shall be readily available to students to assist them in program planning, course selection, and other academic activities.

(b) Student records shall be maintained in accordance with the guidelines established by the U.S. Department of Education.

(c) Students with disabilities shall have access to, and reasonable accommodations in, all programs for which they are qualified consistent with the provisions of the Americans with Disabilities Act.

(d) Placement services and employment opportunities, if provided, shall be accurately described.

(e) The institution's policies and practices are fair, reflect sound and ethical practices, and encourage student retention and success.

(f) The institution shall not require a student to pay tuition or fees for any term other than the current term and/or the term immediately following the current term.

(2) Financial aid.

(a) Financial aid administration and distribution, if provided, shall be performed according to institutional, state, and federal policies.

(b) The institution shall not market, sell, or induce students to obtain loan products that financially benefit any owner or agent of the institution, unless it demonstrates that the student has exhausted all federal aid options and has been denied private commercial loan products. This rule shall apply to any institution with 150 or more students enrolled in the state in any given year or that has been operating in the state for less than two consecutive years.

(c) The institution shall disclose to the council, upon request, all information relating to loan products that are marketed, sold, or otherwise provided to any current or prospective student, as well as all communications with students regarding such loan products.

(3) Facilities for site-based instruction.

(a) The institution shall have adequate space, facilities and equipment, instructional materials, and staff to support quality education and services.

(b) The institution shall comply with all applicable ordinances, laws, codes, and regulations concerning the safety, health, and access of all persons on its premises.

(c) The institution shall not use a residential address as a campus location, teaching site, or mailing address.

(d) The council may conduct a site visit at any time. The fee for a site visit shall be $500, payable to the Washington student achievement council.

(4) Disability accommodations. The institution shall provide reasonable accommodations for students and employees with disabilities. To the extent practicable, the institution must consider diagnosis, assessments, and accommodation plans received from prior secondary and postsecondary educational institutions or employers. The institution shall inform students and employees of local, state, and federal laws regarding discrimination against people with disabilities.

(5) Library. The institution shall provide adequate and accessible library resources and facilities to support the educational needs of students and faculty. If the institution, educational site, or academic center does not maintain its own library on site, it must demonstrate that it can provide sufficient library resources to meet the needs of the program(s) through a written agreement with another institution or organization, or through other mechanisms.

(6) Financial resources.

(a) The institution shall have adequate financial resources necessary to sustain its purpose and commitment to students.

(b) In the case of an institution seeking initial authorization, it shall have sufficient financial resources to sustain itself for one

full academic year without the assistance of revenue from tuition and fees.

(7) Financial records.

(a) The institution shall maintain financial records in conformity to generally accepted accounting principles.

(b) The institution shall be audited annually by an independent certified public accountant according to generally accepted auditing standards.

(c) Such records shall be made available to the council upon request.

(8) Transcripts and academic credentials. The institution shall provide accurate and appropriate transcripts of credit for enrolled students and diplomas for graduates.

(a) For each student, the institution shall maintain and make available a transcript that specifies the name of the institution, the name of the student, all courses completed and academic credentials awarded, and an explanation of the institution's evaluation system. Each course entry shall include a title, the number of credits awarded, and a grade or written evaluation. The transcript shall distinguish credits awarded by transfer, for prior learning experience, and credit by examination.

(b) In addition to transcripts, the institution shall maintain records to document the performance and progress of each student, including, but not limited to: Financial transactions, admissions records, and records of interruption for unsatisfactory progress or conduct. Transcripts shall be kept permanently after a student has discontinued enrollment. All other records and accounts shall be kept for a minimum of six years after a student has discontinued enrollment.

(c) The institution shall maintain physical or electronic copies of all transcripts at a secure off-site facility.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-110, filed 7/28/26, effective 8/28/26; WSR 20-07-008, § 250-61-110, filed 3/5/20, effective 4/5/20. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-110, filed 1/4/19, effective 2/4/19; WSR 17-09-041, § 250-61-110, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-110, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-110, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-110, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-110, filed 11/20/86.]

WAC 250-61-115 Publications. (1) Recruitment and publications. All publications and recruitments relating to the institution shall be accurate and not misleading or deceptive.

(2) Authorized institutions shall not advertise or publicize that they are approved, recommended, accredited, or otherwise endorsed by the council. Such institutions may only state that they are authorized by the council.

(3) The institution shall provide to the council, upon request, any testimonial, endorsement, advertisement, data, or other recruitment made available to prospective students or the public regarding:

(a) Current practices of the school;

(b) Retention or completion rates;

(c) Conditions or opportunities for employment, including probable earnings;

(d) Postgraduation employment, including median hourly and annual earnings or employment statistics;

(e) Financial aid opportunities; or

(f) The ability of graduates to repay loans.

(4) The institution shall present to the council, upon request, any information necessary to confirm or verify the veracity of any statements or claims made in any testimonial, endorsement, advertisement, data, or other recruitment.

(5) The institution shall not present data about the institution or its current or former students that is inconsistent with data posted by the workforce training and education coordinating board's career bridge website or the United States Department of Education.

(6) The institution shall not use any official United States military logo in advertising or promotional materials.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-115, filed 7/28/26, effective 8/28/26. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-115, filed 1/4/19, effective 2/4/19.]

WAC 250-61-120 Catalog requirements. (1) An institution granted authorization shall publish a catalog supplemented as necessary by other published materials, providing sufficient information for students to obtain an adequate understanding of the institution, its programs, policies, and procedures. Institutional catalogs shall be published at least once every two years and be provided to students at the time of their enrollment. Electronic catalogs must be archived and students must have access to the archived information.

(2) The catalog shall include elements as required by the council in application materials such that a prospective student may become reasonably informed about the institution, its offerings, policies, and procedures.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-120, filed 7/28/26, effective 8/28/26; WSR 20-07-008, § 250-61-120, filed 3/5/20, effective 4/5/20. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-120, filed 1/4/19, effective 2/4/19; WSR 17-09-041, § 250-61-120, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-120, filed 12/30/14, effective 1/30/15; WSR 12-09-037, § 250-61-120, filed 4/11/12, effective 5/12/12; WSR 09-20-033, § 250-61-120, filed 9/30/09, effective 10/31/09; WSR 09-02-008, § 250-61-120, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-120, filed 12/8/94, effective 1/8/95; WSR 93-01-103, § 250-61-120, filed 12/17/92, effective 1/17/93; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-120, filed 11/20/86.]

WAC 250-61-130 Cancellation and refund requirements. (1) Each institution shall publish its cancellation and refund policies in clear language that can be easily understood by prospective students. No student shall be enrolled without having received the explanatory materials. These policies shall apply to all terminations for any reason, by either party.

(2) The refund policy shall comply with the federal guidelines established by the U.S. Department of Education and the standards es-

tablished by the accrediting association which accredits the institution or from which the institution is seeking accreditation.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 09-20-033, § 250-61-130, filed 9/30/09, effective 10/31/09; WSR 09-02-008, § 250-61-130, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-130, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-130, filed 11/20/86.]

WAC 250-61-140 Security requirements. The institution is required to have on file with the council an original surety bond or other security acceptable to the council in lieu of the bond.

(1) An institution shall have a separate acceptable security for each authorized site with administrative capability.

(2) For institutions seeking initial standard authorization, the surety bond or security amount for the initial period of authorization shall be fifty thousand dollars for each proposed site with administrative capability. However, for institutions seeking initial standard authorization as a result of a change in ownership or control, the surety bond or security amount for the initial period of authorization shall be ten percent of the preceding fiscal year's total tuition and fee revenue received for educational services in Washington, but not less than fifty thousand dollars for each authorized site with administrative capability.

(3) For institutions seeking initial field placement authorization, the surety bond or security amount for the initial period of authorization shall be twenty-five thousand dollars.

(4) For institutions seeking renewal of standard authorization, the surety bond or security amount shall be ten percent of the preceding fiscal year's total tuition and fee revenue received for educational services in Washington, but not less than fifty thousand dollars for each authorized site with administrative capability.

(5) For institutions seeking renewal of field placement authorization, the surety bond or security amount shall be ten percent of the preceding fiscal year's total tuition and fee revenue received for the field placement courses offered in Washington, but not less than twenty-five thousand dollars.

(6) For private vocational schools that offer nondegree programs as well as degree programs, the amount required shall be based only on the degree program portion of its revenue from tuition and fees.

(7) Release of surety bonds and other securities shall be made in compliance with chapter 28B.85 RCW.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-140, filed 1/4/19, effective 2/4/19; WSR 17-09-041, § 250-61-140, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-140, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-140, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-140, filed 12/8/94, effective 1/8/95; WSR 93-01-103, § 250-61-140, filed 12/17/92, effective 1/17/93; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-140, filed 11/20/86.]

WAC 250-61-145 Tuition recovery trust fund requirements. (1) Purpose. The fund is established to provide relief to students impacted by the voluntary or involuntary closure of authorized institutions and may be used for:

(a) Providing refunds to students affected by school closures;

(b) Securing and administering student records; and

(c) Any other response the council determines is necessary to mitigate impacts of a potential or actual school closure.

(2) Institutions authorized to operate under this chapter shall make the following contributions to the fund:

(a) One initial contribution in the amount of one thousand dollars. Institutions that become authorized to operate after January 1, 2020, shall make the initial contribution prior to enrollment of any student.

(b) Annual contributions to the fund for a period of at least five years in an amount specified in subsection (9) of this section. For institutions whose primary location is outside Washington, the contribution shall be based on tuition income collected from Washington state residents.

(c) The council shall provide notice to an institution that it is no longer required to contribute to the fund once it has made at least five annual contributions, provided none of the factors in subsection (5) of this section apply.

(3) Institutions offering degree programs and academic credit courses exclusively from outside the state through individual and private interstate communication shall make the following contributions to the fund upon enrollment of students located in the state of Washington:

(a) One initial contribution in the amount of one thousand dollars.

(b) At least five contributions in an amount specified in subsection (9) of this section. The contribution shall be based on tuition income collected from students located in the state of Washington.

(c) The council shall provide notice to an institution that it is no longer required to contribute to the fund once it has made at least five annual contributions, provided none of the factors in subsection (5) of this section apply.

(d) Institutions participating in an interstate reciprocity agreement with the council shall be exempt from this requirement.

(4) For private vocational schools that offer nondegree programs as well as degree programs, the amount required shall be based only on the degree program portion of its revenue from tuition and fees.

(5) An institution's obligation to contribute to the fund may continue beyond five years or become reestablished under any of the following circumstances:

(a) The institution's authorization to operate has been suspended or withdrawn;

(b) The institution is currently designated at risk of closure under WAC 250-61-155;

(c) The institution is currently subject to heightened monitoring by the department of education;

(d) The institution is not in good standing with its accreditor or is subject to disciplinary action, including a show cause order;

(e) The institution has been found in violation of the Degree-Granting Institutions Act within the preceding twelve months;

(f) A valid claim against the institution has resulted in a disbursement from the fund; or

(g) The balance of the fund is reduced below one million dollars due to disbursements made to settle claims.

(6) An institution's obligation to contribute to the fund in accordance with subsection (2) of this section shall become reestablished if a new authorization is granted following a significant change of ownership or control.

(7) An institution's obligation to contribute to the fund in accordance with subsection (3) of this section shall become reestablished following a significant change of ownership or control.

(8) If disbursements made to settle claims reduce the operating balance below one million dollars, the council shall require assessments under subsection (9) of this section until the balance of the fund has been restored to one million dollars.

(9) Fund contributions. In order to remain authorized under this chapter, the institution shall remit to the council a fund contribution upon assessment. Institutions shall make annual deposits based on the following assessments:

If the school's total annual tuition income is:	The school shall make the following contribution:
Less than $100,000	$500
$100,000 - $250,000	$1000
$250,001 - $500,000	$1500
$500,001 - $750,000	$2000
$750,001 - $1,000,000	$2500
$1,000,001 - $1,500,000	$3500
$1,500,001 - $2,000,000	$4000
$2,000,001 - $2,500,000	$4500
$2,500,001 - $3,000,000	$5000
$3,000,001 - $4,000,000	$6000
$4,000,001 - $5,000,000	$7000
$5,000,001 - $6,000,000	$8000
$6,000,001 - $7,000,000	$9000
$7,000,001 - $8,000,000	$10000
$8,000,001 - $10,000,000	$11000
Over $10,000,000	$12000

(10) The council will send, to the address of record, annual notices of the due date and amount of deposit required under subsection (9) of this section. The burden of keeping current contact information with the council falls to the institution.

(11) The institution shall provide clear and accurate information required by the council to determine the amount of the institution's contributions to the fund.

(12) Late contributions. The fee for late contributions to the fund shall be ten percent of the amount due. Failure to make a deposit within thirty days of the due date may result in suspension or withdrawal of the institution's authorization. The institution's failure to provide information required by the council to determine the institution's assessment amount shall not impact the due date to contribute to the fund or the penalties described herein.

(13) If the institution demonstrates that the fund contribution is a hardship for the institution, the council may grant an alternate payment schedule.

(14) The fund's liability with respect to each participating institution commences on the date of the initial deposit into the fund made on its behalf and ceases one year from the date the institution is no longer authorized under this chapter.

(15) Settlement of claims. A student with a complaint against an institution that has contributed to the fund and that is related to the purposes of this section may submit a written claim against the fund. If the complaint is supported by evidence and found by council staff to be actionable, the council may make disbursements from the fund consistent with subsection (1) of this section. A complainant is not bound by the council's determination and may pursue any other legal remedy.

(16) No liability accrues to the state from claims made against the fund.

(17) No vested right or interest in deposited funds is created or implied for the depositor at any time during the operation of the fund or at any such future time that it may be dissolved. All funds deposited are payable to the state for the purposes described under this section. Institutions have no right to reimbursement or recoupment of deposited funds at any time or for any reason.

(18) The council may replenish the fund with payments received from another form of security the institution is required to maintain if such payment is permitted under RCW 28B.85.070 and is related to the purposes of the fund.

[Statutory Authority: RCW 28B.85.020. WSR 20-07-008, § 250-61-145, filed 3/5/20, effective 4/5/20.]

WAC 250-61-151 Disclosure requirements. (1) The institution shall make the following disclosures to the council.

(a) The institution shall disclose to the council any adverse action against the institution and any investigation by an oversight entity within 30 days of the institution's first knowledge of the action or investigation.

(i) The disclosure must include information about the nature of the adverse action or investigation and any additional documents or materials requested by the council.

(ii) Failure to report an adverse action or an investigation by an oversight entity may result in suspension or withdrawal of the authorization granted.

(b) The institution shall disclose to the council any changes in the institution's operations that are inconsistent with the requirements of this chapter or that may impair the institution's ability to satisfy any requirement of this chapter within 30 days of the institution's first knowledge of the change.

(i) The disclosure must include information about the nature of the changes in the institution's operations and any additional documents or materials requested by the council.

(ii) The institution shall have a reasonable opportunity to address or correct any deficiencies within a time period specified by the council.

(2) The institution shall make the following disclosures to current and prospective students.

(a) Any catalog or website that is made available to students describing the educational services offered shall prominently feature the following statement upon the granting of authorization: "(Name of

institution) is authorized by the Washington student achievement council (the council) and meets the requirements and minimum educational standards established for degree-granting institutions under the Degree-Granting Institutions Act. This authorization is subject to periodic review and authorizes (name of institution) to offer specific degree programs. The council may be contacted for a list of currently authorized programs. Authorization by the council does not carry with it an endorsement by the council of the institution or its programs. If you have questions about this information, you may contact the council at P.O. Box 43430, Olympia, Washington 98504-3430 or by email at degreeauthorization@wsac.wa.gov."

(b) An institution granted authorization shall make the following statement regarding transferability available to all students: "The transferability of credits earned at (name of institution) is at the discretion of the receiving college, university, or other educational institution. Students considering transferring to any institution should not assume that credits earned in any program of study at (name of institution) will be accepted by the receiving institution. Similarly, the ability of a degree, certificate, diploma, or other academic credential earned at (name of institution) to satisfy an admission requirement of another institution is at the discretion of the receiving institution. Accreditation does not guarantee credentials or credits earned at (name of institution) will be accepted by or transferred to another institution. To minimize the risk of having to repeat coursework, students should contact the receiving institution in advance for evaluation and determination of transferability of credits and/or acceptability of degrees, diplomas, or certificates earned."

(c) The institution shall disclose the availability of the student complaint portal in all sections of the institutional catalog and website containing information about complaints or complaint processes, or in a manner and location otherwise directed by the council.

(d) The institution shall disclose the availability of the student loan advocate in all sections of the institutional catalog and website containing information about financial aid, or in a manner and location otherwise directed by law or by the council.

(e) Programs leading to licensure. The institution shall provide written disclosure to students and prospective students whether courses or programs potentially leading to licensure or post-licensure requirements meet such requirements in the state in which the student or prospective student is located. After making all reasonable efforts to make such a determination, the institution, if unsuccessful, may notify the student or prospective student in writing that the institution cannot confirm whether the course or program meets the requirements for licensure in the state in which the student or prospective student is located, provide the student or prospective student with current contact information for any applicable licensing boards, and advise the student or prospective student to determine whether the program meets licensure requirements in the state in which the student or prospective student is located.

(f) An institution granted a temporary waiver of the requirement for accreditation that has not yet acquired candidacy status with an accrediting association recognized by the council shall affirm that prospective students have read and understood the following statement prior to any student enrollment: "(Name of institution) is not accredited by an accrediting association recognized by the Washington student achievement council. (Name of institution) has been granted a temporary waiver from Washington state's accreditation requirement

based on submission of a plan for accreditation with (name of accrediting agency)."

(g) An institution granted a temporary waiver of the requirement for accreditation that has acquired candidacy status with an accrediting association recognized by the council shall affirm that prospective students have read and understood the following statement prior to any student enrollment: "(Name of institution) has been granted Candidate for Accreditation status by (name of accrediting association). Candidacy is not accreditation nor does it ensure eventual accreditation. "Candidate for Accreditation" is a status of affiliation with the (name of accrediting association) which indicates that the institution has achieved initial recognition and is progressing towards accreditation." An alternate statement required by the institution's accrediting association may be substituted with the council's prior approval.

(h) An institution that enters into an agreement with a third-party entity to deliver instruction or administrative services for a degree program offered via distance education shall provide written disclosure of such agreement and its contents to current and prospective students in a manner and format agreed upon by the council. Disclosures of such agreements shall be provided to prospective students prior to the student's initial payment of tuition or fees.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-151, filed 7/28/26, effective 8/28/26; WSR 20-07-008, § 250-61-151, filed 3/5/20, effective 4/5/20. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-151, filed 1/4/19, effective 2/4/19.]

WAC 250-61-155 At-risk institutions. (1) The council may designate an institution as at-risk based on an adverse action or other findings that indicate a heightened potential of closure or other negative impacts on students.

(2) An institution designated by the council as at-risk will be notified of deficiencies and may be subject to additional and/or more frequent reporting requirements as specified by the council.

(3) Restrictions on offering new programs may also be imposed.

(4) Security requirements may be increased at the discretion of the council consistent with the risk assessed.

(5) The council may suspend or withdraw authorization.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 17-09-041, § 250-61-155, filed 4/14/17, effective 5/15/17.]

WAC 250-61-160 Discontinuance or closure requirements. (1) In the event an institution plans to discontinue a program and/or site currently available to Washington residents, but maintain other operations, it shall notify the council immediately and submit alternative opportunities for program completion, acceptable to the council, that allow currently enrolled students a reasonable opportunity to complete their studies. Institutions may be subject to additional reporting requirements as specified by the council.

(2) In the event an institution plans to discontinue all its operations in Washington, the chief administrative officer of the institution shall:

(a) Notify the council immediately by certified mail and email;

(b) Furnish enrolled students with a written notice explaining the reasons for closure and what procedures they are to follow to secure refunds and their official records, and what arrangements have been made for providing continuing instruction at other institutions;

(c) Provide current students with alternative opportunities, acceptable to the council, to complete their studies; and

(d) Submit to the council the following:

(i) A timeline for the planned discontinuance of operations including the planned closure date;

(ii) A list of all students currently enrolled in program(s) of study at the Washington locations showing student name, contact information, program name, number of credits completed, and number of credits remaining for program completion;

(iii) The total number of students currently enrolled in each program of study for each site at which the program is offered;

(iv) The alternative opportunities for program completion, acceptable to the council, that are provided by the institution for students currently enrolled in programs of study;

(v) A copy of all information regarding the closure that is provided to students, administrators, and faculty at the Washington locations;

(vi) A copy of all documents provided by the institution's accrediting agency related to the closure;

(vii) A copy of any signed transfer agreement;

(viii) A copy of any signed teach-out agreement;

(ix) Electronic copies of transcripts for all current and past students;

(x) An account ledger for each student that includes, at a minimum, clear and correct information about student charges, payments, and the source for each payment; and

(xi) A plan for the maintenance of student records.

(3) Upon discontinuance of all Washington operations, the institution shall:

(a) Submit to the council a list of all students enrolled in program(s) of study at the Washington locations showing student name, contact information, program name, number of credits completed, number of credits remaining for program completion, and the alternative opportunities selected for program completion by each student;

(b) Provide at least ten official transcripts to each student who is currently enrolled or who was enrolled at any point in the preceding term, at no cost to such students;

(c) Provide for the permanent maintenance of official records; and

(d) Submit the following:

(i) Contact information for the location where records for Washington students will be maintained; and

(ii) A description of the method and language used to inform students as to how final transcripts may be obtained.

(4) In the event it appears to the council that the official records of an institution discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the students and the council, the council may seek a court order to take possession of the records and provide for their permanent maintenance.

[Statutory Authority: RCW 28B.85.020. WSR 20-07-008, § 250-61-160, filed 3/5/20, effective 4/5/20. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-160, filed 1/4/19, effective 2/4/19; WSR 17-09-041, § 250-61-160, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-160, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-160, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-160, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-160, filed 11/20/86.]

WAC 250-61-170 Application requirements. (1) Initial application.

(a) Institutions seeking initial standard authorization shall contact the council staff to arrange for a preliminary conference to discuss the authorization criteria, application procedures, and review process.

(b) An institution shall submit a fully completed application packet using forms provided by council staff. The application packet will not be considered complete until all required elements have been received by the council.

(c) An application that fails to satisfy the requirements for authorization under this chapter after three separate attempts shall not be granted authorization.

(d) For standard authorization, the initial application fee shall be $5,000, plus $2,000 for each proposed program, and shall be submitted along with the application packet. The check is to be made payable to the Washington student achievement council.

(e) For field placement authorization, the initial application fee shall be $4,000, plus $1,000 for each proposed program, and shall be submitted along with the application packet. The check is to be made payable to the Washington student achievement council.

(2) Renewal application.

(a) Authorized institutions must submit an application for renewal of authorization on a biennial basis when requested by council staff.

(b) No later than the due date provided by the council, an institution seeking renewal must submit a fully completed renewal application packet using the forms provided by council staff. Failure to provide all requested materials by the due date may result in temporary suspension of the institution's authorization.

(c) For standard authorization, the renewal application fee shall be $2,000, plus an additional $500 per program. The check is to be made payable to the Washington student achievement council.

(d) For field placement authorization, the renewal application fee shall be $2,000, plus an additional $500 per program. The check is to be made payable to the Washington student achievement council.

(e) Any programs that have been authorized for at least one year prior to the authorization renewal date, but which are not yet made available to students, must be so noted in the renewal application. The authorization granted for these programs will be withdrawn at that time and the institution must seek authorization for these programs through the new program application if it wishes to offer them in the future.

(3) Additional program(s).

(a) If an institution plans to offer additional program(s) of study, the institution shall submit a new program application or a new concentration or certificate program application well in advance of the proposed offering.

(b) An additional program application fee in the amount of $2,000 per program is to be submitted along with the application packet. A new concentration or certificate program application fee in the amount of $500 per concentration or certificate is to be submitted along with the application packet. The check is to be made payable to the Washington student achievement council.

(c) The program(s) of study may not be offered, advertised or promoted prior to the granting of authorization.

(d) A nonaccredited institution will be limited to no more than two additional programs per calendar year until full accreditation is received.

(4) Additional site(s).

(a) If an institution plans to offer programs at a new site in Washington, the institution shall submit a new site application well in advance of the proposed start of operations at that site.

(b) An additional site application fee in the amount of $1,000 per site is to be submitted along with the application packet. The check is to be made payable to the Washington student achievement council.

(c) The site may not be utilized, advertised, or promoted prior to the granting of authorization.

(5) Late fees. A late fee for applications for renewal of authorization shall be applied to applications received after the renewal application deadline. The late fee imposed shall be $2,000 and shall be added to all other applicable fees.

(6) All fees submitted to the council are nonrefundable.

(7) Change of ownership or control. A significant change of ownership or control of an institution or its parent entity shall nullify any previous authorization or exemption. The chief administrator, representing the new owner(s), shall notify the council as soon as the change is known. If the chief administrator asserts in a written statement that all conditions set forth in the act and these rules are being met or will be met before offering instruction, the council may issue a temporary certificate of authorization for a maximum of 180 days. The new ownership shall complete an application for initial authorization and submit the application to the council no later than 60 days prior to the expiration of the temporary certificate of authorization.

(8) Reapplication. An institution, or the owner of an institution, that is denied authorization by the council or whose existing authorization is withdrawn by the council may submit a new initial application for authorization 12 months after receipt of the denial or withdrawal of authorization.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-170, filed 7/28/26, effective 8/28/26; WSR 20-07-008, § 250-61-170, filed 3/5/20, effective 4/5/20. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-170, filed 1/4/19, effective 2/4/19; WSR 17-09-041, § 250-61-170, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-170, filed 12/30/14, effective 1/30/15; WSR 12-09-037, § 250-61-170, filed 4/11/12, effective 5/12/12; WSR 09-20-033, § 250-61-170, filed 9/30/09, effective 10/31/09; WSR 09-02-008, § 250-61-170, filed 12/29/08, effective 1/29/09. Statutory

Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-170, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-170, filed 11/20/86.]

WAC 250-61-180 Application review procedures. (1) Staff analysis. Following receipt of a fully completed application, council staff shall review and analyze the material submitted.

(2) Additional documentation and site visit. If council staff determines it is necessary to verify or supplement the information provided in the application, the staff may require additional written documentation and/or arrange for a site visit. The expense for any site visits shall be paid by the institution applying for authorization.

(3) External consultants. At the discretion of the council, the expertise of other higher education experts may be used to assist in the evaluation of the documentation submitted. The cost for the services of the evaluation expert(s) shall be paid by the institution applying for authorization. The fee for such services is $1,000 per program per consultant, to be submitted by the institution upon request by the council during the review process. The check is to be made payable to the Washington student achievement council.

(4) Comment period. Upon completion of a preliminary review, the council shall post a notification of the request for authorization on its website for a set period of time. Any persons having knowledge as to why the institution or its program(s) may not meet the requirements for degree authorization may provide comment to the council on the proposal.

(5) Staff recommendations. After the final review has been completed, council staff shall summarize its findings and develop a recommendation to the executive director regarding the application. This recommendation will take one of the following forms:

(a) That the institution be granted authorization, subject to biennial reporting and maintenance of the conditions under which authorization has been granted.

(b) That the institution be granted conditional authorization, subject to additional conditions as established by the council, and maintenance of the conditions under which authorization has been granted.

(c) That the institution be denied authorization.

(6) Notification. Following the council's decision to authorize or deny the institution's request, a letter signifying the action shall be sent from the council to the chief administrative officer of the institution.

(a) The letter of authorization will serve as official authorization for the institution to operate in Washington for the specific programs and locations designated in the letter.

(b) An institution denied authorization shall be provided with an explanation as to how the institution and/or its programs failed to meet the criteria for authorization.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-180, filed 7/28/26, effective 8/28/26. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-180, filed 1/4/19, effective 2/4/19; WSR 17-09-041, § 250-61-180, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-180, filed 12/30/14, effective 1/30/15; WSR 12-09-037, § 250-61-180, filed 4/11/12, effective 5/12/12; WSR

09-02-008, § 250-61-180, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-180, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-180, filed 11/20/86.]

WAC 250-61-190 Complaints. (1) Institutions shall maintain a process for the resolution of student complaints. The student complaint process shall be readily accessible and shall identify a specific contact or mechanism for the submission of complaints. Institutions shall provide the complainant a decision regarding the complaint within 30 days unless a reasonable extension is necessary to review and respond to the complaint or to seek a negotiated resolution.

(2) A student may submit a complaint against an authorized institution based on a loss of tuition or fees; other loss or injury due to misrepresentation of educational programs, accreditation, support for or statistics relating to job placement, or measurements of student debts and earnings; or other unfair business practices.

(a) A student submitting a complaint shall make a reasonable effort to resolve the complaint directly with the institution.

(b) If a mutually satisfactory solution cannot be reached, the following procedure shall be pursued:

(i) Upon receipt of a written complaint that an institution has failed or is failing to comply with the provisions of the act or this chapter, and documentation that the student has made a reasonable effort to resolve the complaint directly with the institution, the executive director shall notify the institution of the nature of the complaint and request appropriate information and documentation relating to the specific area(s) of the complaint.

(ii) Within five business days, the institution must either respond with the requested information and documentation and a recommended resolution to the complaint or acknowledge receipt of the request and provide a reasonable estimate of the amount of time necessary to respond. If a recommended resolution is acceptable to the complainant, the process is completed at this point.

(iii) If there is no recommended resolution or the complainant is not satisfied with a recommended resolution, the executive director will review the complaint to determine if the complaint falls within the scope of authority of the council under the act and this chapter and indicates a possible violation of the act and this chapter.

(iv) If a complaint is found by council staff to be actionable, the council will negotiate with the institution to find an appropriate resolution.

(v) Council staff will then issue a final decision regarding the complaint and may require the institution to repay lost tuition and fees to the student.

(vi) If the institution is unsatisfied with the final decision, the institution may request the council hold an administrative hearing as provided in WAC 250-61-210.

(vii) A complainant is not bound by the council's determination of restitution and may pursue any other legal remedy.

(viii) Any complaints must be filed within two years after the student's last recorded date of attendance in order to be considered by the council, unless a school has discontinued all Washington operations, in which case, complaints must be filed within one year of discontinuance of all Washington operations. Only the student or the student's legal guardian may file a complaint on behalf of the student.

(3) An institution may not require a student to agree to mandatory arbitration of student complaints.

[Statutory Authority: RCW 28B.85.020. WSR 26-16-034, s 250-61-190, filed 7/28/26, effective 8/28/26. Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 17-09-041, § 250-61-190, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-190, filed 12/30/14, effective 1/30/15; WSR 09-02-008, § 250-61-190, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-190, filed 12/8/94, effective 1/8/95; WSR 86-24-003 (Order 7/86, Resolution No. 87-34), § 250-61-190, filed 11/20/86.]

WAC 250-61-200 Suspension or withdrawal of authorization. (1) The executive director may suspend or withdraw an institution's authorization based on a finding that:

(a) Any information contained in the application for authorization is untrue; or

(b) The institution has failed to maintain the standards for authorization as detailed in the act and this chapter; or

(c) Advertising or representations made on behalf of, and sanctioned by, the institution is deceptive or misleading; or

(d) The institution has violated any provision of this chapter; or

(e) The institution has violated any applicable federal or state law.

(2) In the case of an adverse finding the executive director shall provide the institution a notice of violation that includes details of the legal basis of the finding and the facts used to make the determination.

(3) The institution will have an opportunity to respond to the notice of violation and address deficiencies within a reasonable time period specified by the council.

(4) The executive director may designate an institution as at-risk.

(5) The executive director may suspend the institution's authorization for a period of time if, in the executive director's judgment, the deficiencies can be corrected within the given time period. Upon suspension, the institution must immediately cease the recruitment and/or enrollment of new students. The institution may continue serving currently enrolled students for the remainder of the term. Authorization may be reinstated after any deficiencies have been resolved to the satisfaction of the council.

(6) The executive director may withdraw the institution's authorization if, in the executive director's judgment, the deficiencies cannot be corrected within the given time period. Upon withdrawal, the institution must immediately cease all degree-granting operations. To seek reinstatement of authorization, the institution must apply for initial authorization.

(7) The executive director's action to suspend or withdraw authorization is subject to the hearing procedures specified in WAC 250-61-210.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 19-03-020, § 250-61-200, filed 1/4/19, effective 2/4/19; WSR 17-09-041, § 250-61-200, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-200, filed 12/30/14, effective 1/30/15; WSR 09-02-008, §

250-61-200, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-200, filed 12/8/94, effective 1/8/95.]

WAC 250-61-210 Hearing process. (1) A party subject to the following actions may request a hearing:

(a) A denial of exemption from the Degree-Granting Institutions Act;

(b) A denial of authorization under the Degree-Granting Institutions Act;

(c) A cease and desist order issued under chapter 28B.85 RCW; or

(d) Other final action as defined in chapter 34.05 RCW, by the executive director that adversely affects the institution and which is contrary to the intent and purpose of the Degree-Granting Institutions Act or this chapter.

(2) A party must submit a request for a hearing to the executive director at the council office no later than thirty days following receipt of the notice of final agency action. In the written request, the party must identify the final action in dispute and state that a hearing is requested.

(3) Any hearing called for under the act shall be conducted in accordance with the Washington Administrative Procedure Act, chapter 34.05 RCW, as follows:

(a) The presiding officer, who shall be the executive director or the hearing officer designated by the executive director, shall conduct the hearing under the provisions of chapter 34.05 RCW and shall enter an initial order under RCW 34.05.461 (2) through (9).

(b) The executive director shall review the initial order under RCW 34.05.464 and either enter a final order or remand the matter for further proceedings under RCW 34.05.464(7).

(c) If the challenged agency action is upheld, the party that initiated the hearing process shall pay the costs of the administrative hearing within sixty days following final disposition of the matter.

(d) Any further review of final action must be taken in accordance with RCW 34.05.510 et seq.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 17-09-041, § 250-61-210, filed 4/14/17, effective 5/15/17; WSR 15-02-021, § 250-61-210, filed 12/30/14, effective 1/30/15; WSR 09-20-033, § 250-61-210, filed 9/30/09, effective 10/31/09; WSR 09-02-008, § 250-61-210, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 28B.80.370. WSR 95-01-003, § 250-61-210, filed 12/8/94, effective 1/8/95.]

WAC 250-61-225 Issuance of false academic credentials. (1) It is unlawful for a person or entity to:

(a) Grant, award or offer to grant or award a false academic credential, in violation of this chapter; or

(b) Represent that a credit earned or granted by a person or entity, in violation of this chapter, can be applied toward a credential offered by another person; or

(c) Solicit another person to seek a credential or credit offered in violation of this chapter.

(2) The granting, awarding or issuance of a false academic credential is a Class C felony and is subject to criminal and civil penalties as prescribed in RCW 9A.20.021.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 09-02-008, § 250-61-225, filed 12/29/08, effective 1/29/09.]

WAC 250-61-230 Notices. All notices required under this chapter shall be sent via email to degreeauthorization@wsac.wa.gov and also via certified mail, return receipt requested to: Degree Authorization, Washington Student Achievement Council, P.O. Box 43430, Olympia, WA 98504-3430.

[Statutory Authority: RCW 28B.76.120 and 28B.85.020. WSR 17-09-041, § 250-61-230, filed 4/14/17, effective 5/15/17.]