

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 550

By: Seifried

AS INTRODUCED

An Act relating to higher education; amending 70 O.S. 2021, Section 4103, which relates to accreditation of certain institutions; directing certain policies and procedures to include certain provisions; providing for promulgation of rules; creating the Tuition Recovery Revolving Fund; specifying source of fund; providing for expenditures; providing purpose of fund; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2021, Section 4103, is amended to read as follows:

Section 4103. A. As used in this section:

1. "Degree-granting institution" means an institution that offers education leading to an associate's degree or higher;
2. "Non-degree-granting activity" means offering education or training that does not lead to an associate's degree or higher; and
3. "State authorization reciprocity agreement" means an agreement among states, districts, and territories that establishes

1 comparable standards for providing distance education from their  
2 postsecondary educational institutions to out-of-state students.

3 B. All private and out-of-state public degree-granting  
4 institutions shall be accredited by ~~a national or regional~~ an  
5 accrediting agency which is recognized by the Secretary of the  
6 United States Department of Education as a reliable authority as to  
7 the quality of education or training offered by institutions of  
8 higher education for the purposes of the Higher Education Act of  
9 1965, as amended. Additionally, for the purposes of consumer  
10 protection and to maintain financial eligibility for Title IV  
11 funding as described in 34 CFR Part 600, institutions shall be  
12 authorized according to the policies and procedures established by  
13 the Oklahoma State Regents for Higher Education. These policies and  
14 procedures shall be limited to ~~a complaint process provision,~~  
15 ~~standards for operation, stipulations for a written enrollment~~  
16 ~~agreement between the institution and the student and reporting~~  
17 ~~requirements~~ the minimum necessary to ensure that private and out-  
18 of-state degree-granting institutions that operate in this state by  
19 any modality meet the same standards of academic quality and fiscal  
20 responsibility required for institutions of higher education within  
21 The Oklahoma State System of Higher Education. Beginning with the  
22 2023-2024 academic year, the State Regents shall:

23 1. Establish and collect fees annually from applicants for  
24 authorization as necessary to cover the costs of authorization;

1       2. Require applicants for authorization to submit payment in an  
2 amount established by the State Regents into the Tuition Recovery  
3 Revolving Fund created in Section 2 of this act, which shall be used  
4 to offset student tuition losses in the event an authorized  
5 institution closes or ceases operations; and

6       3. Be authorized to deny, not renew, or revoke an institution's  
7 authorization if it is found to be in violation of the Oklahoma  
8 statutes, it fails to meet the minimum authorization standards  
9 established by the State Regents, or an accrediting agency or other  
10 government entity revokes its approval, which is material to the  
11 continuity of the institution. An institution subject to the  
12 provisions of this paragraph shall be given reasonable notice and an  
13 opportunity to be heard prior to a decision to deny, not renew, or  
14 revoke authorization.

15       C. The following institutions shall be exempt from this  
16 section:

17       1. Private institutions participating in the Oklahoma Tuition  
18 Equalization Grant program; and

19       2. Out-of-state public and private institutions participating  
20 in a state authorization reciprocity agreement that only conduct  
21 activities in Oklahoma that are acceptable under the terms and  
22 conditions of the state authorization reciprocity agreement.

23       ~~C.~~ D. Non-exempt institutions engaged in non-degree granting  
24 activities, such as offering certificates and diplomas, shall be

1 subject to the standards administered by the Oklahoma Board of  
2 Private Vocational Schools.

3 E. The State Regents shall promulgate rules to implement the  
4 provisions of this section.

5 SECTION 2. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 4103.1 of Title 70, unless there  
7 is created a duplication in numbering, reads as follows:

8 There is hereby created in the State Treasury a revolving fund  
9 for the Oklahoma State Regents for Higher Education to be designated  
10 the "Tuition Recovery Revolving Fund". The fund shall be a  
11 continuing fund, not subject to fiscal year limitations, and shall  
12 consist of all monies received by the State Regents from fees  
13 collected pursuant to Section 4103 of Title 70 of the Oklahoma  
14 Statutes. All monies accruing to the credit of the fund are hereby  
15 appropriated and may be budgeted and expended by the State Regents  
16 for the purpose of offsetting student tuition losses in the event  
17 that an institution authorized pursuant to Section 4103 of Title 70  
18 of the Oklahoma Statutes closes or ceases operations. Expenditures  
19 from the fund shall be made upon warrants issued by the State  
20 Treasurer against claims filed as prescribed by law with the  
21 Director of the Office of Management and Enterprise Services for  
22 approval and payment.

23 SECTION 3. This act shall become effective July 1, 2023.  
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1           SECTION 4. It being immediately necessary for the preservation  
2 of the public peace, health, or safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

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