

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 987

By: Sparks

4
5
6 AS INTRODUCED

7 An Act relating to private schools; amending 70 O.S.
8 2011, Section 21-101, as amended by Section 1,
9 Chapter 276, O.S.L. 2014 (70 O.S. Supp. 2017, Section
10 21-101), which relates to definitions used by the
11 Oklahoma Board of Private Vocational Schools; adding
12 certain definition; providing an effective date; and
13 declaring an emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 21-101, as
16 amended by Section 1, Chapter 276, O.S.L. 2014 (70 O.S. Supp. 2017,
17 Section 21-101), is amended to read as follows:

18 Section 21-101. As used in Sections 21-101 through ~~21-203~~ 21-
19 116 of this title:

20 1. "Act" means Sections ~~21-201~~ 21-101 through ~~21-203~~ 21-116 of
21 this title that enables the Oklahoma Board of Private Vocational
22 Schools to approve licenses for state authorization of postsecondary
23 education or certain other forms of vocational-technical training
24 and education;

1 2. "Private school" means any privately owned, nonpublic entity
2 that receives remuneration that is approved for a state
3 authorization license and provides postsecondary education, or
4 provides vocational-technical education prior to the person
5 obtaining a high school diploma or its equivalency;

6 3. "Board" means the Oklahoma Board of Private Vocational
7 Schools;

8 4. "Approval by the State Regents for Higher Education" means
9 approval:

10 a. for a postsecondary institution to offer one or more
11 associate, bachelor, master, or doctoral degrees in a
12 specific degree program,

13 b. of an entity to offer distance education for a
14 degree(s) that is granted by means of applying an
15 interstate reciprocity agreement to which the State
16 Regents for Higher Education is a party, or

17 c. of an entity by way of the provision of documentation
18 of independent accreditation by one or more regional
19 or national accrediting organizations which are
20 recognized by the U.S. Department of Education;

21 5. "Branch" means an additional location, separate facility, or
22 satellite to a main school that is defined by the organizational,
23 geographic, or legal characteristics of the entities;

1 6. "Business" means skills including but not limited to
2 administration, customer relations, finance, human resources,
3 leadership, management, marketing or strategic planning used to run
4 a for-profit or not-for-profit entity;

5 7. "Career" means any occupation that can be reasonably
6 expected to provide for the graduate at or above one hundred eighty
7 percent (180%) of the federal poverty level each year for thirty
8 (30) years or until the age of retirement;

9 8. "Combines" means offering within the same catalog, website
10 or other form of publication or advertisement in such a way to
11 convey that the entity makes available more than one type or level
12 of training or education;

13 ~~8.~~ 9. "Contact hour" means a period of time defined by a
14 school, seminar or workshop such as fifty (50) minutes which may
15 differ from a clock hour that will always be sixty (60) minutes in
16 length;

17 ~~9.~~ 10. "Correspondence course" means a form of instruction for
18 which a student receives lessons or assignments from a private
19 school by means of postal or other couriers;

20 ~~10.~~ 11. "Distance education" means education or training
21 provided outside the traditional classroom by use of electronic
22 mediums, including but not limited to online or virtual education,
23 e-learning or computer-based, -aided or -assisted instruction;

24

1 ~~11.~~ 12. "General education" means education to complete a
2 student's secondary education recognition providing instruction not
3 specific to any single occupation or vocation;

4 ~~12.~~ 13. "Industrial" means related to manufacturing or other
5 labor which may or may not require skilled trade licensing;

6 ~~13.~~ 14. "Occupation" or "vocation" means employment, either
7 full-time, part-time, by contract or on a consulting basis, for
8 which a person earns remuneration;

9 ~~14.~~ 15. "Postgraduate certificate" means an advanced
10 certification earned following a student's receipt of an associate,
11 bachelor, master or doctorate degree that qualifies the individual
12 for specialized career advancement or job assignments;

13 ~~15.~~ 16. "Postsecondary education" means a program that requires
14 a student to have a high school diploma, high school equivalency
15 certificate or requires that the person be beyond the age of
16 compulsory education;

17 ~~16.~~ 17. "Primarily in the business of" means that an entity
18 earns twenty percent (20%) or more of its gross revenue from
19 providing a program(s) of instruction, as documented by certified
20 public-accountant-prepared financial statements that are attested to
21 as a true and correct statement of financial condition by an entity
22 owner(s);

23 ~~17.~~ 18. "Profession" or "professional" means those occupations
24 or vocations relating to such fields of employment that generally

1 require an advanced degree or for which an individual must pass
2 extensive prelicensing testing. Examples include but are not
3 limited to attorneys and certified professional accountants.
4 Professions may or may not require ongoing continuing education that
5 may be subject to the authority or jurisdiction of an alternate
6 state agency;

7 ~~18.~~ 19. "Program", "program of study" or "program of
8 instruction" means a body of organized instruction that leads to a
9 degree, certificate, diploma or other recognized educational
10 credential, or provides transferable skills applicable to a
11 business, professional, trade or vocational-technical or industrial
12 occupation or vocation;

13 ~~19.~~ 20. "Public" means an entity that is established as a
14 governmental entity;

15 ~~20.~~ 21. "Seminar" or "workshop" means a program of instruction
16 that results in business, professional, or vocational-technical
17 knowledge that applies to one or more occupations or vocations but
18 will not provide degree credit hours, a certificate or a diploma;

19 ~~21.~~ 22. "Solicitor" means a representative of a private school
20 that leaves the physical facility of the school to attend job fairs,
21 career days or other activities to market to new students or to
22 attempt to secure new student enrollments;

23 ~~22.~~ 23. "Technical" means those skills that are unique to
24 certain occupations or vocations;

1 ~~23.~~ 24. "Trade" means a skilled trade including but not limited
2 to electrical, plumbing, and heating and air conditioning (HVAC),
3 that requires an individual to maintain a state or municipal
4 license; and

5 ~~24.~~ 25. "Tuition" means a financial charge made for the
6 provision of education or training, regardless of the term assigned
7 to the monetary or other exchange.

8 SECTION 2. This act shall become effective July 1, 2018.

9 SECTION 3. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13
14 56-2-2536 EB 1/11/2018 11:03:31 AM

15
16
17
18
19
20
21
22
23
24