

HOUSE BILL NO. 1068

Introduced by

Education Committee

(At the request of the State Board for Vocational and Technical Education)

1 A BILL for an Act to amend and reenact subsection 5 of section 15-20.4-03 and section
2 15-20.4-05 of the North Dakota Century Code, relating to authorization and incorporation of
3 private postsecondary educational institutions.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 5 of section 15-20.4-03 of the 1999
6 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7 5. Receive and cause to be maintained as a permanent file, copies of academic
8 records specified by the board in the event any postsecondary educational
9 institution ~~now or hereafter operating in this state~~ required to have an authorization
10 to operate under this chapter proposes to discontinue its operation.

11 **SECTION 2. AMENDMENT.** Section 15-20.4-05 of the 1999 Supplement to the North
12 Dakota Century Code is amended and reenacted as follows:

13 **15-20.4-05. Prohibition.** A person, group, or entity of whatever kind, alone or in
14 concert with others, may not:

- 15 1. Operate, in this state, a postsecondary educational institution not exempted from
16 the provisions of this chapter, unless said institution has a currently valid
17 authorization to operate issued pursuant to the provisions of this chapter.
- 18 2. Instruct or educate, or offer to instruct or educate, including advertising or soliciting
19 for such purpose, enroll or offer to enroll, contract or offer to contract with any
20 person for such purpose, or award any educational credential, or contract with any
21 institution or party to perform any such act, at a facility or location in this state
22 unless such person, group, or entity observes and is in compliance with the
23 minimum standards and criteria established by the board pursuant to subsection 1

- 1 of section 15-20.4-03, and the rules and regulations adopted by the board pursuant
2 to subsection 6 of section 15-20.4-03.
- 3 3. Use the term "university", "institute", or "college" without authorization to do so
4 from the board.
- 5 4. Grant, or offer to grant, educational credentials, without authorization to do so from
6 the board.
- 7 5. ~~Seek to incorporate within the state as a postsecondary educational institution~~
8 ~~without first obtaining a currently valid authorization to operate from the board,~~
9 ~~which authorization must be presented to the secretary of state upon application~~
10 ~~for articles of incorporation.~~