

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1045

Introduced by

Legislative Management

(Higher Education Funding Committee)

1 A BILL for an Act to create and enact a new section to chapter 15-18.1 and a new section to
2 chapter 15-20.4 of the North Dakota Century Code, relating to postsecondary educational
3 institution and postsecondary career school course and program compliance with professional
4 registration and certification requirements; and to amend and reenact sections 15-18.1-05 and
5 15-20.4-04 of the North Dakota Century Code, relating to minimum standards to operate
6 postsecondary education institutions and postsecondary career schools.

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

8 **SECTION 1. AMENDMENT.** Section 15-18.1-05 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **15-18.1-05. Minimum standards.**

11 All postsecondary educational institutions must be accredited by national or regional
12 accrediting agencies recognized by the United States department of education. The board may
13 additionally require such further evidence and make such further investigation as in its judgment
14 may be necessary. Any postsecondary educational institution operating in this state seeking its
15 first authorization to operate may be issued a provisional authorization to operate on an annual
16 basis until the institution becomes eligible for accreditation by a recognized accrediting agency.
17 Institutions issued a provisional authorization to operate must demonstrate a substantial
18 good-faith showing of progress toward such status. Only upon accreditation may an institution
19 become eligible for a regular authorization to operate. An institution shall give written notification
20 to the board within thirty days of any change to the institution's accreditation status.

21 **SECTION 2.** A new section to chapter 15-18.1 of the North Dakota Century Code is created
22 and enacted as follows:

1 **Compliance with professional board registration and certification requirements.**

2 A postsecondary educational institution shall give written notification to potential students
3 applying for enrollment in a course or program that customarily leads to professional registration
4 or certification of the status of the course or program compliance with the registration or
5 certification requirements of the appropriate professional board in the state. A postsecondary
6 educational institution shall give written notification to all students enrolled in a program or
7 course that customarily leads to professional registration or certification of any change in the
8 status of the course or program compliance with the registration or certification requirements of
9 the appropriate professional board in the state.

10 **SECTION 3. AMENDMENT.** Section 15-20.4-04 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **15-20.4-04. Minimum standards - Exceptions.**

13 1. All postsecondary career schools must be accredited by national or regional
14 accrediting agencies recognized by the United States department of education. The
15 board may additionally require such further evidence and make such further
16 investigation as in its judgment may be necessary. Any postsecondary career school
17 operating in this state seeking its first authorization to operate may be issued a
18 provisional authorization to operate on an annual basis until the school becomes
19 eligible for accreditation by a recognized accrediting agency. Schools issued a
20 provisional authorization to operate must demonstrate a substantial good-faith
21 showing of progress toward such status. Only upon accreditation shall a school
22 become eligible for a regular authorization to operate. A school shall give written
23 notification to the board within thirty days of any change to the school's accreditation
24 status.

25 2. This section does not apply to postsecondary career schools operating in this state
26 that do not grant degrees and that offer mainly hands-on training in low census
27 occupations, as determined by the board. "Degree" as used in this subsection means
28 a document that provides evidence or demonstrates completion of a course of
29 instruction that results in the attainment of a rank or level of associate or higher.

30 **SECTION 4.** A new section to chapter 15-20.4 of the North Dakota Century Code is created
31 and enacted as follows:

1 **Compliance with professional board registration and certification requirements.**

2 A postsecondary career school shall give written notification to potential students applying
3 for enrollment in a course or program that customarily leads to professional registration or
4 certification of the status of the course or program compliance with the registration or
5 certification requirements of the appropriate professional board in the state. A postsecondary
6 career school shall give written notification to all students enrolled in a program or course that
7 customarily leads to professional registration or certification of any change in the status of the
8 course or program compliance with the registration or certification requirements of the
9 appropriate professional board in the state.