

**A RESOLUTION**

**Proposed  
Resolution  
20-1145**

**See Emergency  
D.C. Act 20-529  
20 DCStat 4449**

*To declare the existence of an emergency with respect to the need to amend the Education Licensure Commission Act of 1976 to extend authority to the commission to require an educational institution physically located outside the District of Columbia offering postsecondary degree-granting or non-degree granting online programs or courses to District of Columbia residents to be licensed in the District of Columbia, and to provide the commission with the authority to enter into reciprocity agreements in regard to online instruction; and to amend the State Education Office Establishment Act of 2000 to designate the Office of the State Superintendent of Education the state portal agency for reciprocity authorization.*

**Education  
Licensure  
Commission  
Emergency  
Declaration  
Resolution of  
2014**

**RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Education Licensure Commission Emergency Declaration Resolution of 2014".**

Sec. 2. (a) The District of Columbia seeks to ensure that a wide array of postsecondary learning opportunities is available for our residents. Across the country, at least 7 million students are using online technology to access postsecondary courses.

(b) Postsecondary online distance education expands learning opportunities by providing flexible, accessible methods to acquiring new skills and fulfilling degree requirements.

(c) The rapid growth of online distance education has brought to the forefront the need to provide a coherent and comprehensive structure that focuses on consumer protection and security while maintaining the unique features of online distance learning.

(d) Students in online distance education programs require stronger protection than traditional students because they are completing their courses and programs outside of the visibility of traditional oversight and monitoring structures.

(e) Many states have already taken the step to protect their student residents involved in online distance education. The District must move forward to keep up with best practices in postsecondary licensing.

(f) The current Education Licensure Commission law does not specifically require schools outside of the District offering online distance education programs to District residents to be licensed, leaving District residents unprotected against unethical practices by false or misleading postsecondary entities.

(g) An immediate need exists to protect District residents who may be unable to assess the legitimacy, quality, or legality of a postsecondary educational institution.

(h) Currently, over 100 postsecondary educational institutions outside of the District are providing distance education to District residents and have made inquiries to the Education Licensure Commission about getting licensed in the District.

(i) Until the changes proposed in the emergency legislation are made, there is no guidance that the Education Licensure Commission can provide to these postsecondary educational institutions and no basic standards or safeguards that the Education Licensure Commission can require of these institutions. Furthermore, District-based postsecondary institutions that are engaging in distance education in other jurisdictions must navigate multiple state licensing requirements that are both cumbersome and costly.

(j) The changes in the emergency legislation will allow the Education Licensure Commission to enter into state authorization reciprocity agreements (“SARA”) with other jurisdictions regarding licensing online distance education programs, which will result in ensuring security and consumer protections while making the process and costs of providing distance education less cumbersome and costly.

(k) The Education Licensure Commission is currently in discussion to enter into a SARA but cannot move forward with this until it has the legal authority to license distance education programs.

(l) Without emergency legislation, private and public institutions of higher learning in the District, including the University of the District of Columbia (“UDC”), will have to pay fees to each state to conduct online learning programs in their state. This is extremely expensive and burdensome for the District’s institutions of higher learning.

(m) The emergency legislation, which authorizes the Education Licensure Commission to enter into a SARA, will save both UDC and the District’s private institutions of higher learning tens of thousands of dollars in fees in the coming months.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Education Licensure Commission Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.