

District of Columbia Official Code  
Title 38. Educational Institutions.  
Subtitle III. Public Education -- Post Secondary.  
Chapter 13. Higher Education Licensure Commission.  
*(as of March 30, 2016)*

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### § 38-1301. Purpose.

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The purpose of this chapter is to provide for the protection, education, and welfare of the citizens of the District of Columbia and its students, by:

- (1) Establishing minimum standards concerning the quality of postsecondary education, ethical and business practices, health and safety, and fiscal responsibility, to protect against substandard, transient, unethical, deceptive, or fraudulent postsecondary educational institutions and practices;
- (2) Prohibiting the granting of false or misleading postsecondary educational credentials;
- (3) Prohibiting misleading literature, advertising, solicitation, or representation by postsecondary educational institutions or their agents;
- (4) Providing for the preservation of essential academic records;
- (5) Providing for a commission to advise the Mayor and Council of the District of Columbia as to the postsecondary educational needs of the District of Columbia; and
- (6) Providing for a commission to serve as the state approving agency for veterans benefits.

### § 38-1302. Definitions.

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For the purposes of this chapter:

- (1) “Agent” means any person owning any interest in, employed by, or representing for remuneration, an educational institution, whether such institution is located within or outside the District, and who solicits or offers to enroll in the District students or enrollees for such institution, or who holds himself or herself out to residents of the District of Columbia as representing an educational institution for any such purpose.
- (1a) “Accredited” means approved by an accrediting association recognized by the United States Department of Education.
- (2) “District” means the District of Columbia.
- (3) “Person” includes, but is not limited to, any individual, group of individuals, firm, partnership, corporation, association, company, society, trust, or any other entity whatsoever.
- (4) “Educational institution” means:
  - (A) Any entity or person organized or chartered in the District that operates, keeps, or maintains any facility in the District through which educational instruction is offered;
  - (B) Any branch, extension, or facility of an entity that operates, keeps, or maintains any facility in the District through which educational instruction is offered, but organized or chartered outside of the District, that furnishes or offers to furnish in the District instruction or educational services leading toward a postsecondary degree, diploma, or certificate; or
  - (C) An entity that is organized or chartered and that operates outside of the District of Columbia, but through agents offers instruction or educational services to residents of the District.
- (4a) “Certificate” or “diploma” means a document, designation, mark, appellation, series of letters or words, academic or honorary title, or other symbol that signifies, purports or is generally taken to signify satisfactory completion of the requirements of an academic, educational, vocational or professional program of study at the postsecondary level, but does not include completion of a program for a degree.
- (5) “Degree” means a document, designation, mark, appellation, series of letters or words, academic or honorary titles, or other symbol that signifies, purports or is generally taken to signify satisfactory completion of the requirements of an academic, educational, or

- professional program of study for the associate, bachelor, master or doctor level of college or university education.
- (6) “To grant or to confer” includes awarding, selling, conferring, bestowing, or giving.
  - (7) “Education”, “educational service”, or a like term means a class, course, or program of instruction or study at the postsecondary level in whatever form, manner, or medium provided, whether by personal attendance, online instruction, or by other means.
  - (8) “To offer” includes, in addition to its usual meanings, advertising, publicizing, soliciting, or encouraging any person, directly or indirectly, in any form, to perform the act described.
  - (9) “Chairman of the Council” means Chairman of the Council of the District of Columbia.
  - (10) “Commission” means Higher Education Licensure Commission.
  - (11) “To operate” or “operating” when applied to an educational institution means to establish, keep, or maintain any facility or location in the District, or to establish, keep, or maintain any facility or location organized or chartered in the District wherefrom or through which education is offered or given, or educational credentials are offered or granted, and includes contracting with any person, group, or entity to perform any such act.
  - (12) “License” or “to license” means the granting of approval to operate by the Commission to any educational institution covered under this chapter. Such approval shall be contingent upon said educational institution’s compliance with all rules, regulations and criteria promulgated by the Commission, as well as compliance with all other applicable D.C. laws and regulations.
  - (12A) “Non-profit” means an organization or institution that is exempt from federal income tax under the provisions of 26 U.S.C. § [501\(c\)\(3\)](#) and that meets the requirements of Chapter 4 of Title 29.
  - (12B) “Postsecondary” means the level of education beyond high school.
  - (13) “Proprietary school” means any privately-owned educational institution operated for a profit.
  - (14) “Facility” means a physical structure located in the District, including suitable housing, classrooms, laboratories, and library resources, as required by the nature of the program or the student body.
  - (15)
    - (A) “Online instruction” means education, whether known as virtual class, correspondence course, distance learning, or other like term, where the learner and instructor are not physically in the same place at the same time, that is delivered through an electronic medium such as the Internet, Web-based form, or real time or recorded video or digital form, and that is offered or provided by an educational institution to District residents who are physically present in the District.
    - (B) The education provided pursuant to subparagraph (A) of this paragraph shall be deemed delivered through an online presence in the District.
  - (16) “Online presence” means the delivery of online instruction by an educational institution.

### **§ 38-1303. Higher Education Licensure Commission — Established.**

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There is established for the District of Columbia a Higher Education Licensure Commission (“Commission”) which shall license postsecondary educational institutions subject to this chapter and their agents, ensure authenticity and legitimacy of the educational institutions, serve as the state approving agency for veterans educational benefits, provide standards and criteria, and administer rules and regulations, including rules of procedure for the Commission to ensure adequate public notice of each meeting of the Commission.

**§ 38-1304. Higher Education Licensure Commission — Composition; terms; vacancies; meetings; compensation.**

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- (a) The Commission shall consist of 5 members who shall be appointed by the Mayor.
- (b) Each member of the Commission shall be a bona fide resident of the District of Columbia and shall serve for a term of 3 years, except that of the members first appointed to the Commission, 3 members shall be appointed to serve for a term of 2 years and 2 members shall be appointed to serve for a term of 3 years, to be determined by lot. Members may not be appointed to serve for more than 2 consecutive terms; provided, that a member may serve in a hold-over capacity for no more than 180 days after the expiration of the member's second full consecutive term. Any person appointed to fill a vacancy on the Commission shall be appointed to serve the remainder of the term in the same manner as the original selection. Persons appointed to fill the remainder of a term, where the remainder is less than one-half of the original term, may be reappointed to 2 full terms.
- (c) Any member of the Commission who is or has been, within 12 months of appointment, an officer, employee, student, trustee, or member of the governing board of an educational institution operating in the District of Columbia that is subject to licensure by the Commission or has a financial interest in an educational institution subject to licensure shall not participate in any matter before the Commission concerning the institution.
- (d) The Commission shall choose annually from among its members a Chairperson and such other officers as it deems necessary. All meetings of the Commission shall be called by the Chairperson or a majority of the members, except the 1st meeting of the Commission shall be called by the Mayor.
- (e) Three members shall constitute a quorum of the Commission and no official action of the Commission shall be taken except in an open meeting of the Commission with a quorum present.
- (f) Members of the Commission shall be entitled to compensation as provided in § 1-611.08.

**§ 38-1305. Higher Education Licensure Commission — Transfer of positions; personnel; establishment of panels.**

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- (a) There shall be transferred to the Commission such positions and their funding that formerly were assigned to the Board of Higher Education for the approval and licensure of post-secondary institutions.
- (b) Personnel shall be appointed and compensation fixed in accordance with the provisions of Chapter 6 of Title 1.
- (b-1) An educational institution licensed by the Commission shall be subject to the laws and regulations that govern degree-granting and non-degree-granting institutions in the District, including those governing the complaint process.
- (c) The Commission may set up panels of persons qualified to inspect, evaluate and make recommendations concerning the approval for licensure of the several kinds of institutions covered by this chapter.

**§ 38-1306. Higher Education Licensure Commission — Regulations; review of licensed institutions; validity of current licenses.**

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- (a) Reserved.
- (b)

- (1) The Commission shall license degree granting institutions and institutions that give instruction that result in credit toward a degree as follows:
    - (A) A provisional license shall be awarded to every institution upon initial licensure, which shall be for such period as the Commission deems necessary before the institution is eligible for a permanent license. The award of the provisional license shall be based upon the Commission's determination that the institution complies, or can within a reasonable time comply with all requirements of this chapter, and shall be subject to conditions that the Commission deems necessary to achieve full compliance with this chapter.
    - (B) Once a provisional license has been awarded, the Commission shall award a permanent license, subject to periodic review in accordance with subsection (b) of this section, if the Commission determines that an accredited educational institution is in full compliance with the provisions of this chapter.
  - (2) In accordance with procedures consistent with subchapter I of Chapter 5 of Title 2, the Commission may suspend or revoke the license of an institution for failure to comply with the provisions of this chapter and regulations issued pursuant to this chapter may reduce a permanent license to a provisional license, and refuse to issue a license.
  - (3) The Mayor shall issue rules to implement the provisions of the chapter pursuant to subchapter I of Chapter 5 of Title 2 that shall include, but not be limited to, a schedule of licensing fees and charges and standards and requirements for licensure of degree granting and non-degree granting programs. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays and days of Council recess. If the Council does not approve or disapprove the proposed rules in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved.
  - (4) To the extent consistent with this chapter, the Commission shall utilize the rules of the Board of Higher Education entitled "Regulations Relating to the Licensing of Institutions Which Confer Degrees," issued July 1, 1970, until the rules are amended or repealed.
  - (5) The Proprietary School Regulations, issued October 1, 1971 (Reg. 71-30; 16 DCMR 12), shall continue in effect until repealed or amended by rules adopted pursuant to paragraph (3) of this subsection.
- (b-1) An educational institution licensed by the Commission shall be subject to the laws and regulations that govern degree-granting and non-degree-granting institutions in the District, including those governing the complaint process.
- (c)
- (1) The Commission may undertake the following:
    - (A) An independent evaluation of an educational institution's facilities and programs that are located in the District for purposes of initial licensure of an educational institution;
    - (B) A periodic review of any nonaccredited degree-granting licensee;
    - (C) A periodic review of any nondegree granting educational institution; and
    - (D) A periodic review of any branch or extension of an accredited degree-granting licensee that is located outside of the District.
  - (2) The Commission may make an independent evaluation of an institution's facilities and programs outside the District for purposes of initial licensure of an institution that seeks to operate a branch or extension within the District and the periodic review of a licensee that is not accredited.
  - (3) The Commission's periodic review of facilities and programs of an accredited licensee shall, except as specified in paragraph (1) of this subsection, be made only by means of a Commission observer of an evaluation by a regional accrediting association, or, if the programs are limited to a specialty, by a specialized accrediting association.

- (4) The Commission may make an on-site investigation as authorized by this subsection to conduct any evaluation authorized by this subsection and to investigate a complaint or other appearance of failure by a licensee to comply with the requirements of this chapter.
- (d) Nothing in this chapter shall be construed to invalidate a current license to operate an educational institution held by any person in the District of Columbia on March 16, 1989, except that every institution operating in the District of Columbia, with or without a license, on March 16, 1989, shall come into compliance with the provisions of the chapter and rules issued pursuant to the chapter within a reasonable time, as provided in the rules.
- (e)
  - (1) The Commission is authorized to charge any institution that is licensed under this chapter for the costs of the Commission's independent evaluations of the institution's facilities and the Commission's observations of evaluations made by accrediting associations. Any institution operating an educational program within the District shall establish, to the satisfaction of the Commission, that the program offered will be in accordance with the educational standards of the Commission.
  - (2) All revenues collected by, and all payments made to, the Commission under this subsection shall be deposited in the Higher Education Licensure Commission Site Evaluation Fund established by § 38-2607.
- (f) Any license issued pursuant to this section shall be issued as an Educational Services endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of Chapter 28 of Title 47.

### **§ 38-1307. Higher Education Licensure Commission — Functions.**

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In addition to those duties specified in other sections of this chapter, the Commission shall:

- (1) Advise the Mayor and the Council with respect to the postsecondary educational needs of the District of Columbia;
- (2) File with the Mayor and the Council quarterly reports relating to:
  - (A) The educational institutions granted or denied licenses under this chapter during the reporting period; and
  - (B) Other matters that come under the Commission's purview;
- (3) Receive, and cause to be maintained, copies of student academic records in conformity with the following provisions:
  - (A) In the event an educational institution operating in the District, or any educational institution licensed under this chapter operating outside of the District, proposes to discontinue its operation and has no other repository for its records, the chief administrative officer, by whatever title designated, of the institution shall cause to be filed with the Commission the original or legible true copies of all records of the institution specified by the Commission. The records shall include, at a minimum, the academic records of each former student;
  - (B) The Commission shall maintain and dispose of the records in accordance with the provisions of Chapter 17 of Title 2. Academic records shall be maintained for at least 50 years from the date the student attended the institution;
  - (C) The Commission is authorized to charge an institution for all costs involved in the transfer of records;
- (4)
  - (A) In the event it appears to the Commission that the records of an institution discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the Commission, the Commission may apply to the Superior Court of the

District of Columbia for an order authorizing the Commission to seize and take possession of the records; and

- (B) Any chief officer or member of a governing board of an institution who willfully fails to comply with the provisions of this subsection or willfully aids and abets any person in a scheme to avoid the requirements of this subsection may be held personally liable for all costs and damages resulting from the conduct, in addition to other penalties provided by this chapter;
- (5) Have the authority to enter into agreements with other jurisdictions as it relates to the licensing of postsecondary educational institutions that provide degree-granting or non-degree-granting instruction to residents of the District; and
- (6) Have the authority to enter into agreements with degree-granting educational institutions operating in the District of Columbia that are otherwise conditionally exempt pursuant to section 10 for the purpose of ensuring consistent consumer protection in interstate distance education delivery of higher education.

### **§ 38-1308. Supplemental funding.**

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The Mayor and the Council shall be authorized to obtain supplemental funding for the Commission. The Council shall approve the receipt of any such supplemental funding.

### **§ 38-1309. Postsecondary educational institution; requirements.**

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- (a) No person or postsecondary educational institution incorporated in the District of Columbia or outside of the District of Columbia shall operate a postsecondary educational institution in the District of Columbia, offer postsecondary education, have the power to grant or confer or offer to grant or confer a postsecondary degree or a diploma or certificate, offer postsecondary courses for credit, or issue transcripts or other documents to reflect credit toward a postsecondary degree, diploma or certificate, unless:
  - (1) The institution is granted a license to do so from the Commission or granted an exemption by the Commission in accordance with this chapter; and
  - (2) The institution is either organized or chartered in the District of Columbia and operates, keeps, or maintains a facility in the District through which educational instruction is offered, or organized or chartered outside the District of Columbia and is registered as a foreign corporation pursuant to Chapter 1 of Title 29 of the District of Columbia Official Code, and operates, keeps, or maintains a facility in the District through which educational instruction is offered, or is otherwise properly authorized to do business in the District of Columbia and operates, keeps, or maintains a facility in the District through which educational instruction is offered.
- (a-1) An educational institution that is providing degree-granting or non-degree-granting online instruction to residents of the District through an online presence shall be deemed to be operating in the District and shall be licensed by the Commission.
- (b) No person shall state or imply that its educational program or course of instruction is approved for veteran's training in the District by the District of Columbia State Approving Agency or by the United States Veterans Administration, unless that person has obtained proper approval from the commission.
- (c) Except as provided for in this chapter, no person shall sell, barter, or exchange for any consideration, or attempt to sell, barter, or exchange for any consideration, a degree, diploma, or certificate.
- (c-1)

- (1) No educational institution licensed by the Commission under the provisions of this chapter shall use as its title, in whole or in part, the words United States, federal, American, national, or civil service, or any other words which might reasonably imply an official connection with the government of the United States, or any of its departments, bureaus, or agencies, or of the government of the District of Columbia, nor shall any such institutions advertise or claim the power to issue degrees under the authority of Congress or otherwise than under the authority of the license granted to them by the Commission as hereinbefore provided. The prohibition in this section contained shall be deemed to include and is hereby declared applicable to any individual or individuals, association, or incorporation outside of the District of Columbia which shall undertake to do business in the District of Columbia or to confer degrees or certificates therein; provided, that no institution, incorporated prior to April 16, 1934, under the provisions of this subchapter, and carrying on its work exclusively in any foreign country with the consent and approval of the government thereof, shall if otherwise entitled to be licensed by the Commission, be denied the same solely because of the inclusion in its name and as descriptive of its origin of any of the specific words the use of which is by this section forbidden to incorporations under the provisions of this subchapter.
- (2) The Commission may, for good cause shown, waive the prohibition of this section for any nonprofit educational institution incorporated and licensed in any jurisdiction if:
  - (A) The institution clearly indicates to the Commission's satisfaction that it is not and does not hold itself out as or affiliated with an institution of the District of Columbia government or the federal government;
  - (B) The institution provides statements in a conspicuous place in all of its publications, advertising, and student contracts that the institution is not affiliated with the federal or District government;
  - (C) The institution is accredited by an accrediting association recognized by the United States Secretary of Education; and
  - (D) The institution otherwise meets all applicable licensing requirements.
- (d) The Commission, before granting any license, may require satisfactory evidence:
  - (1) That, in the case of an individual, unincorporated group of individuals, or incorporated institution, the individual, a majority of the group, or a majority of the trustees, directors, or managers of the incorporated institution are persons of good repute and qualified to conduct an institution of learning.
  - (2) Repealed.
- (e) No degree shall be granted in medicine or any healing art, or in dentistry, for study pursued or work done solely through online instruction.

### **§ 38-1310. Exempt institutions.**

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- (a) The following types of educational institutions or activities are excluded from the coverage of this chapter:
  - (1) Courses of instruction not purporting to lead to a degree conducted by any person solely for the training of the employees of the person, and for which no fee is charged;
  - (2) Education offered by the District or federal government or any instrumentality of the governments, except course approval for veterans under an Act to amend Chapter 35 of Title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphan's educational assistance program shall be by State approving agencies (38 U.S.C. § [3500](#) et seq.);
  - (3) Education solely avocational or recreational in nature and not leading to a degree and institutions offering the education exclusively, as determined by the Commission;

- (4) Education offered by an eleemosynary or nonprofit institution, organization, or agency, if no fee is charged for the education and no credit toward a degree or any degree, diploma, or certificate is awarded;
  - (5) Courses or programs of instruction given by or approved by a professional body, fraternal organization, civic club, or benevolent order principally for the professional education of its own members or advancement or similar purpose and for which no degree or degree credit is awarded and for which there is no public advertising; and
  - (6) An educational institution that is organized or chartered outside of the District of Columbia and does not operate in the District of Columbia, except that any agent of an institution who operates in the District shall not be exempt, and the Commission may apply the standards of this chapter to the institution in determining whether to license an agent.
- (b) A degree-granting institution shall be entitled to a conditional exemption from all other provisions of this chapter if, upon request to the Commission:
- (1) It can show that it has been authorized by the Congress of the United States to grant degrees;
  - (2) It is accredited by a regional accrediting association recognized by the United States Department of Education;
  - (3) It files annually with the Commission the following:
    - (A) A current audited financial statement of the institution;
    - (B) A certified statement as to the institution's accreditation status, including whether any conditions have been imposed and whether any action has been taken toward revoking or limiting that status; and
    - (C) A copy of each course catalogue and a response to the Commission's annual data survey;
  - (4) It makes provision for a representative of the Commission to serve as an observer on all visits to the institution by evaluators from a regional accrediting association; and
  - (5) It furnishes to the Commission a copy of all reports submitted to and received from the accreditation association, including the reports of an evaluation submitted to the institution by the accrediting association and notices of accrediting association action regarding accreditation of the institution.
- (c) An institution entitled to a conditional exemption under subsection (b) of this section that is required by a regional accrediting association to show cause why its accreditation should not be revoked, or that has had its accreditation withdrawn, shall notify the Commission immediately of the action by the regional accrediting association. The exemption shall expire and the institution shall become fully subject to the licensing requirements of this chapter as of the date it receives notice of the withdrawal of accreditation status by the regional accrediting association.
- (d) The Commission, upon request, may reinstate an institution's conditional exemption once accreditation is re-established and the Commission has determined that it meets the provisions of this chapter appropriate to the exempt status.
- (e) A conditional exemption authorized by this section extends only to programs or courses within the scope of the institution's accreditation as certified by the accrediting association.
- (f) The Commission shall issue a conditional exemption to an off-campus program offered within the District of Columbia by an unconditionally accredited degree training institution or group of institutions. All other requirements of conditional exemptions under this section shall apply to the programs, when the Commission determines that:
- (1) The local offering is for the institution's own students, regularly enrolled on its home campus and does not fulfill more than 25% of the normal degree requirements; or
  - (2) The local offering is open only to employees of a person, and there is no cost to the employee.
- (g) Nothing shall be stated or implied, in any diploma, degree, certificate, or document evidencing same, or elsewhere in the publications or correspondence of the institution that a program

excluded from the requirements of this chapter has been reviewed, approved, or authorized by the Commission, the District government or any officer of the District government.

- (h) Any self study undertaken by an educational institution as part of the accreditation process, any site evaluation by an accrediting association, or any other report submitted by the educational institution to the accrediting association or by the accrediting association to the educational institution that contains an evaluation judgment about the institution that is not prepared for publication shall, when submitted to the Commission in accordance with this chapter, be exempt from public disclosure under the provisions of subchapter II of Chapter 5 of Title 2, and the Commission shall not disclose the report or take official licensure action solely on the basis of the contents of the report. The Commission shall disclose whether or not an educational institution has received the award, reaffirmation, amendment, or revocation of accreditation from an accrediting association.

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**§ 38-1311. Bond or surety requirement; Mayor to issue rules.**

The Mayor may promulgate rules, subject to review by the Council as provided in § 38-1306(a), to establish a bond or surety requirement not to exceed \$250,000 per institution based on the number of students and cost of instruction and \$3,000 per agent. The bond or security for the institution shall be for the purpose of protecting students should an institution breach its contract with its students, declare bankruptcy or otherwise terminate its educational program without providing adequate student refunds. The bond or security for the agent shall be for the purpose of protecting students from misrepresentation of the education or credentials to be received. The rules may allow the Commission to waive the surety requirement for a financially sound, nonprofit institution that has been licensed for 5 consecutive years.

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**§ 38-1312. Violations; penalties.**

- (a) Any person or persons who, directly or indirectly, participate in, aid, or assist in offering postsecondary education or the operation of a postsecondary educational institution by any unlicensed individual or individuals, association, or institution, or by any individual or individuals, association, or institution whose license has been revoked, who advertises or claims any authority to offer education, except pursuant to the provisions of this chapter, or who violates a provision of this chapter shall be guilty of a misdemeanor, and upon conviction in the Superior Court of the District of Columbia shall be punished by a fine of not more than \$500.
- (a-1) The Commission may impose civil fines and penalties as alternative sanctions for violations of the provisions of this act or of rules promulgated under the authority of this chapter, pursuant to Chapter 18 of Title 2 [§ 2-1801.01 et seq.] (“Civil Infractions Act”). Enforcement and adjudication of a violation shall be pursuant to the Civil Infractions Act.
- (b) Each day of noncompliance shall constitute a separate violation of this chapter.
- (c) Violations of this chapter shall be prosecuted in the District of Columbia Superior Court by the Office of the Attorney General for the District of Columbia.
- (d) Nothing contained in this chapter shall preclude any person from being subject to a penalty under provisions of § 28-3904, if the person engages in an unlawful trade practice.

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**§ 38-1313. Transfer of the Higher Education Licensure Commission from the Department of Consumer and Regulatory Affairs to the State Education Office.**

- (a) All positions, personnel, property, records and unexpended balances of appropriations, allocations and other funds available or to be made available to the Department of Consumer and Regulatory

Affairs that support the functions of the Higher Education Licensure Commission, established by § 38-1303 are hereby transferred to the State Education Office, established by § 38-2601.

- (b) All of the powers, duties, and functions delegated to the Department of Consumer and Regulatory Affairs concerning the activities of the Higher Education Licensure Commission, including those delegated pursuant to this chapter, are hereby transferred to the State Education Office [now Office of the State Superintendent of Education], established by § 38-2601.

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**§ 1-611.08 (c-2) and (c-3). Compensation — Members of boards and commissions.**

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(c-2) Members of the following boards and commissions shall be entitled to compensation in the form of stipend as follows:

(1) Each Commissioner, other than the ex officio Commissioner and the Chairperson, of the Board of Commissioners of the District of Columbia Housing Authority shall be entitled to a stipend of \$4,000 per year for their service on the board; the Chairperson shall be entitled to a stipend of \$6,000 per year. Each Commissioner also shall be entitled to reimbursement of actual travel and other expenses reasonably related to attendance at board meetings and fulfillment of official duties. Stipends and reimbursements shall be made at least quarterly; provided, that all stipends shall be paid from non-District funds;

(2) Each member of the Higher Education Licensure Commission shall be entitled to a stipend of \$8,000 per year for their service on the commission. Each member also shall be entitled to reimbursement of actual travel and other expenses reasonably related to the performance of the duties of the commission while away from their homes or regular places of business; and

(3)

(A) Public and industry members of the District of Columbia Taxicab Commission shall be entitled to compensation of \$25 per meeting or work session, not to exceed \$1,350 for each public or industry member per year.

(B) Total compensation for all Commission members shall not exceed \$10,800, for all meetings and work sessions.

(c-3) Chairpersons of the boards and commissions specified in subsections (c-1) and (c-2) of this section who are public members shall be entitled to an additional compensation of 20% above the annual maximum.

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**§ 38-2602 (b)(6). Responsibilities.**

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(b) The OSSE shall:

...

(6) Oversee the functions and activities of the Higher Education Licensure Commission, established by § 38-1303, including acting as the state portal agency for the purposes of state authorization reciprocity;

...

**§ 38-2607. Higher Education Licensure Commission Site Evaluation Fund.**

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(a) There is established a lapsing fund to be designated as the Higher Education Licensure Commission Site Evaluation Fund (“Fund”), which shall be a segregated account within the General Fund of the District of Columbia, administered by the Office of the State Superintendent of Education, and used for the purposes set forth in subsection (b) of this section.

(b) The Fund shall be used only to cover costs associated with the Higher Education Licensure Commission (“Commission”)’s review of institutions for licensing purposes under § 38-1306.

(c) All revenues collected by the Commission for evaluations and observations done pursuant to § 38-1306 shall be deposited into the Fund. All funds deposited into the Fund shall be used for the purposes set forth in subsection (b) of this section. Any unexpended funds in the Fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

**§ 2-1831.03 (b-10). Jurisdiction of the Office and agency authority to review cases.**

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(b-10) In addition to those cases described in subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5), (b-6), (b-7), and (b-8), this chapter shall apply to adjudicated cases involving a civil fine or penalty imposed by the Higher Education Licensure Commission under § 38-1312(a-1).