



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

Diploma Mill Legislation
Definitions and Regulations

Council for Higher Education Accreditation - [Diploma Mill Info](#)

**Specified by the Oregon Office of Degree Authorization to have broad laws prohibiting/restricting use of fraudulent degrees*

***Oregon**

[Oregon Office of Degree Authorization](#) – said to have the most comprehensive list of [unaccredited colleges](#) that are and are not approved for use within the state (other states use as a guide as well)

[SB 198 \(2007\)](#): Defines diploma mill. Excludes from definition schools that offer degrees in only theology or religious occupations and schools making reasonable progress toward accreditation. Authorizes Oregon Student Assistance Commission to terminate activities of diploma mills and unrecognized post-secondary accrediting bodies. Adjusts for inflation the schedule of application fees for conferring degrees. Adds fee for partial degree programs. Authorizes commission to assess costs for use of experts to evaluate programs.

[SB 114 \(2009\)](#): Prohibits person who receives degree from diploma mill from using disclaimer to claim or represent that person possesses academic degree.

[ORS § 348.594](#) - **Definitions**

As used in ORS 348.594 to 348.615:

(1)(a) “Diploma mill” means:

(A) A school against which a court or public body, as defined in ORS 174.109, has issued a ruling or finding, after due process procedures, that the school has engaged in dishonest, fraudulent or deceptive practices related to the award of degrees, academic standards or student learning requirements; or

(B) An entity without legal authority as a school to issue degrees valid as credentials in the jurisdiction that authorizes issuance of degrees.

(b) “Diploma mill” does not include:

(A) A school operating legally under ORS 348.604; or

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(B) A school that is actively seeking and able to show evidence of reasonable progress toward regional accreditation with one of the regional post-secondary accrediting bodies recognized by the United States Department of Education.

(2) "School" means a person, organization, school or institution of learning that confers or offers to confer an academic degree upon a person or to provide academic credit applicable to a degree. [1997 c.652 §8; 1999 c.59 §93; 2005 c.546 §8; 2007 c.325 §1]

***Maine**

[HB 915 \(2005\)](#) - Penalties for the Issuance, Manufacture and Use of False Academic Degrees or Certificates

[ME Rev Stat § 10801](#) – Definitions

2. Accreditation mill. "Accreditation mill" means an entity that is created to give the appearance that certain substandard schools or institutions of higher education are legitimately accredited organizations, that is not recognized by any authorized state, professional or national agency and that has few, if any, standards for quality.

3. Diploma mill. "Diploma mill" means an institution of higher education operating without accreditation or supervision of a state or a nationally recognized professional agency and granting diplomas that are either fraudulent or, because of lack of proper standards, worthless.

4. Degree mill. "Degree mill" means a school or institution of higher education without accreditation that meets any one of the following conditions:

A. Issues degrees without requiring any student academic work;

B. Issues degrees based solely on the student's life experience or portfolio without requiring any college-level work submitted to and evaluated by faculty with appropriate academic degrees from standard accredited institutions; or

C. Issues degrees basing more than 50% of required credits on the student's life experience.

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6. False academic degree. "False academic degree" means a document such as a degree or certification of completion of a degree, course work or academic credit, including a transcript, that provides evidence or demonstrates completion of a course of instruction or course work that results in the issuance of an associate or more advanced degree by an institution that is not a duly authorized institution of higher learning.

Tennessee

[HB 2560\(2004\)](#) - Creates Class A misdemeanor for person who knowingly issues, sells or manufactures false academic degree; creates Class C misdemeanor for individual who knowingly uses or claims to have false academic degree to obtain employment, promotion in employment or admission to institution of higher learning

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[HB 3096 \(2006\)](#) - This bill defines the term "diploma mill" to mean a nontraditional, unaccredited postsecondary school that offers degrees for a relatively low flat fee, promotes the award of academic credits based on life experience, and does not require any classroom instruction.

[Tenn. Code Ann. § 49-7-2003](#) – Part Definitions

(6) "Diploma mill" means a nontraditional, unaccredited postsecondary school that offers degrees for a relatively low flat fee, promotes the award of academic credits based on life experience and does not require any classroom instruction;

[Tenn. Code Ann. § 39-17-112](#) – False Academic Degrees

(c) As used in this section, "false academic degree" shall mean any degree issued that meets one of the following criteria:

(1) Issued without requiring any student academic work;

(2) Issued based solely on the student's life experience or portfolio without requiring any post secondary work submitted to and evaluated by faculty with appropriate academic degrees from an institution that is:

(A) Accredited by a regional accrediting agency or other accrediting agency recognized by the United States department of education; and

(B) Authorized to operate in Tennessee pursuant to the provisions of title 49, chapter 7, part 20, relative to the authorization of post secondary institutions, or is exempted from authorization by the provisions of § 49-7-2004; or

(3) Issued using more than twenty-five percent (25%) of required credits based on the student's life experience or portfolio.

***North Dakota**

[HB 1068 \(2003\)](#) - relating to the issuance, manufacture, and use of false academic credentials

[SB 2080 \(2009\)](#) - Concerns operation of accreditation mills; concerns authorizations to operate postsecondary educational institutions and false academy degrees; concerns negotiation of promissory instruments by postsecondary educational institutions; provides a felony penalty.

[§ 15-20.4](#)

15-20.4-15. Unlawful to issue, manufacture, or use false academic degrees - Penalty.

1. It is unlawful for a person to knowingly advertise to sell, issue, or manufacture a false academic degree. A person that violates this subsection is guilty of a class C felony. This subsection does not apply to a newspaper, television or radio station, or other

commercial medium that is not the source of the advertisement.

2. a. It is unlawful for an individual to knowingly use or claim to have a false academic degree:

(1) To obtain employment;

(2) To obtain a promotion or higher compensation in employment;

(3) To obtain admission to an institution of higher learning; or

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(4) In connection with any business, trade, profession, or occupation.

b. An individual who violates this subsection is guilty of a class A misdemeanor.

3. As used in this section, "false academic degree" means a document such as a degree or certification of completion of a degree, coursework, or degree credit, including a transcript, that provides evidence or demonstrates completion of a course of instruction or coursework that results in the attainment of a rank or level of associate or higher which is issued by a person that is not a duly authorized institution of higher learning.

15-20.4-18. Unlawful to operate accreditation mill - Penalty.

1. A person may not operate an accreditation mill in North Dakota.

2. As used in this section:

a. "Accreditation mill" means an accrediting entity that is not recognized by the United States department of education or the state board for career and technical education.

b. "Operate" includes to use an address, telephone number, facsimile number, or other contact point located in North Dakota.

3. A person that violates this section is guilty of a class C felony.

Michigan

[S 136 \(2005\)](#) - Creates the Authentic Credentials in Education Act; provides that an individual shall not knowingly use a false academic credential to obtain employment, to obtain a promotion or higher compensation in employment, to obtain admission to a qualified institution, or in connection with any loan, business, trade, professional or occupation; provides that an individual who does not have an academic credential shall not knowingly use or claim to have such credential to obtain employment or a promotion.

[§390.1602](#) - Definitions

(b) "False academic credential" means an academic credential issued or manufactured by a person that is not a qualified institution.

***Wisconsin**

[S 431 \(2009\)](#) - Relates to the use of the terms college, university, state, and Wisconsin in the name of a school; relates to the issuing, manufacture, or use of a false academic credential; relates to the false use of a legitimate academic credential; provides that the state Board of Education shall make a list of

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schools that are authorized to use those terms in their names, and shall make the list available on the board's Internet site.

[§ 38.50](#)

(13) False academic credentials.

(a) In this subsection:

1. "Academic credential" means a degree, transcript, certificate, or other similar document that indicates the completion of a program, course, or course of instruction leading to, or the earning of academic credit toward, the granting of an associate, baccalaureate, or graduate degree.
2. "Authorized institution of higher education" means an educational institution that meets any of the following requirements:
 - a. Has accreditation recognized by the U.S. secretary of education; has the foreign equivalent of that accreditation, as determined by the board; or has accreditation recognized by the Council for Higher Education Accreditation.
 - b. Is approved by the board to operate in this state.
 - c. Operates in this state and is a school described in sub. (1) (e) 1. to 8.
 - d. Does not operate in this state, but is licensed or otherwise approved by the appropriate state agency of another state and is an active applicant for accreditation by an accrediting body recognized by the U.S. secretary of education or by the Council for Higher Education Accreditation.
 - e. Has been found by the board to meet standards of academic quality comparable to those of an educational institution located in the United States that has accreditation recognized by the U.S. secretary of education or by the Council for Higher Education Accreditation to offer credentials of the type and level claimed.
3. "False academic credential" means an academic credential issued or manufactured by a person that is not an authorized institution of higher education.
4. "Legitimate academic credential" means an academic credential issued by an authorized institution of higher education.

***Missouri**

[H 62 \(2009\)](#) - Relates to the criminal code to include false higher education degree (and several other unrelated criminal offenses)

[§ 173.754](#) - Unlawful use false or misleading degree, when--violation, penalty.

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2. For the purposes of this section, a degree is false or misleading or is used in a false or misleading manner if it:

(1) States or suggests that the person named in the degree has completed the requirements of an academic or professional program of study in a particular field of endeavor beyond the secondary school level and the person has not, in fact, completed the requirements of the program of study;

(2) Is offered as his or her own by a person other than the person who completed the requirements of the program of study; or

(3) Is awarded, bestowed, conferred, given, granted, conveyed, or sold in violation of this chapter.

***Nevada**

[A 395 \(2005\)](#) - Prohibits the use or attempted use of a false or misleading degree or honorary degree granted by a private entity or public postsecondary educational institution and the use or attempted use of a degree or honorary degree granted by such an entity or institution in a false or misleading manner.

[NRS § 394.700](#) – Use of False or Misleading Degree

4. For the purposes of this section, a degree or honorary degree is false or misleading or is used in a false or misleading manner if it:

(a) States or suggests that the person named in the degree or honorary degree has completed the requirements of an academic or professional program of study in a particular field of endeavor beyond the secondary school level and the person has not, in fact, completed the requirements of the program of study;

(b) Is offered as his or her own by a person other than the person who completed the requirements of the program of study; or

(c) Is awarded, bestowed, conferred, given, granted, conveyed or sold:

(1) Based upon more than 10 percent of the recipient's documented life experience and not based upon actual completion of academic work;

(2) By a person or entity located in this State in violation of this chapter, as determined by the Commission; or

(3) By a person or entity located outside this State which would be a violation of this chapter if the person or entity were located in this State, as determined by the Commission.

***South Dakota**

[H 1138 \(2008\)](#) - Prohibits the use of a false academic degree or a degree that is not completed to obtain employment, a promotion, admission to postsecondary education or in connection with any business, trade or occupation.

[§ 13-1-52](#) - False claims concerning academic degree prohibited

For the purposes of this section, a false academic degree is a degree document, a certification of completion of a degree, coursework, or degree credit, including a transcript, that provides evidence or demonstrates completion of a course of instruction or coursework that results in the attainment of an associate degree or higher which is issued by a person or entity that is neither currently accredited by a regional, state, or national accrediting agency recognized by the United States Department of Education pursuant to 20 U.S.C. § 1099b as amended to January 1, 2008, nor has the foreign equivalent of such accreditation or the legal authority from a foreign country to issue degrees usable as educational credentials in the jurisdiction of issue.

Arkansas

[H 1254 \(2011\)](#) - Prohibits the use of false academic credentials; prohibits an individual from establishing or operating an accrediting agency in the state without recognition by the United States Department of Education; modifies provisions requiring certification from the Higher Education Coordinating Board prior to offering educational coursework leading to a degree and before establishing a postsecondary educational institution.

§ 6-61-135 (sorry, could not link to statute). False academic credential.

(a) As used in this section "false academic credential" means a document that provides evidence or demonstrates completion of an academic or professional course of study at the post-secondary level that results in the awarding of a certificate, degree, or rank that is issued by an individual or institution that is not:

- (1) Certified under § 6-61-301; or
- (2) Exempt from certification under § 6-61-301.

***Washington**

[H 2507\(2005\)](#) - relates to the use of and issuance of a false academic credential.

[RCW 9A.60.070](#) – False academic credentials

(a) "False academic credential" means a document that provides evidence or demonstrates completion of an academic or professional course of instruction beyond the secondary level that results in the attainment of an academic certificate, degree, or rank, and that is not issued by a person or entity that:

- (i) Is an entity accredited by an agency recognized as such by rule of the *higher education coordinating board or has the international equivalents of such accreditation; or
- (ii) is an entity authorized as a degree-granting institution by the *higher education coordinating board; or
- (iii) is an entity exempt from the requirements of authorization as a degree-granting institution by the *higher education coordinating board; or
- (iv) is an entity that has been granted a waiver by the *higher education coordinating board from the requirements of authorization by the board. Such documents include, but

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are not limited to, academic certificates, degrees, coursework, degree credits, transcripts, or certification of completion of a degree.

Mississippi

[SB 2218 \(2006\)](#) - Defines the authority of the Commission on College Accreditation; authorizes the seeking of an injunction to enjoin unapproved course offerings

[SB 3079 \(2009\)](#) - Increases the membership of the Mississippi Commission on College Accreditation and clarify its responsibility; states that the commission has the power and authority to execute site visits when deemed necessary.

[§ 37-101-241](#) - Commission on college accreditation

(3) The commission shall have the power and authority, and it shall be its duty, to prepare an approved list of community, junior and senior colleges and universities or other entities which offer one or more postsecondary academic degrees and are domiciled, incorporated or otherwise located in the State of Mississippi. Postsecondary academic degrees include, but are not limited to, associate, bachelor, masters and doctorate degrees. The commission shall adopt standards which are in keeping with the best educational practices in accreditation and receive reports from the institutions seeking to be placed on the approved list.

(4) The above-described community, junior and senior colleges and universities or other entities must be approved annually by the commission in order to grant diplomas of graduation, degrees or offer instruction.

(5) The commission shall petition the chancery court of the county in which a person or agent offers one or more postsecondary academic degrees subject to the provisions of this chapter or advertises for the offering of such degrees without having first obtained approval by the commission, for an order enjoining such offering or advertising. The court may grant such injunctive relief upon a showing that the respondent named in the petition is offering or advertising one or more postsecondary academic degrees without having obtained prior approval of the commission. The Attorney General or the district attorney of the district, including the county in which such action is brought, shall, upon request of the commission, represent the commission in bringing any such action.

***Virginia**

[HB 766 \(2008\)](#) – Relates to fraudulent academic credentials; makes it a Class 1 misdemeanor to operate a degree/diploma mill and to issue or manufacture a fraudulent academic credential; provides that use of a fraudulent academic credential to gain an advantage is a Class 3 misdemeanor

[§ 23-276.1](#) - Definitions

"Fraudulent academic credential" means a diploma, certification, academic transcript, or other document issued by a person or an entity that is not an institution of higher education that provides

evidence of or demonstrates completion of course work or academic credit that results in the issuance of an associate or more advanced degree.

***Texas**

[HB 1173 \(2005\)](#) - Relates to the regulation of the use of postsecondary credits and degrees, persons offering or granting certain postsecondary credits and degrees, and the manner of offering or granting those credits and degrees; provides criminal penalties related to fraudulent, fictitious or substandard degrees; relates to private institutions.

[§ 61.302](#) - DEFINITIONS

(11) "Fraudulent or substandard degree" means:

(A) a degree conferred by a private postsecondary educational institution or other person that, at the time the degree was conferred, was operating in this state in violation of this subchapter;

(B) if the degree is not approved through the review process described by Section 61.3021, a degree conferred by a private educational institution or other person that, at the time the degree was conferred, was not eligible to receive a certificate of authority under this subchapter and was operating in another state:

(i) in violation of a law regulating the conferral of degrees in that state or in the state in which the degree recipient was residing; or

(ii) without accreditation by a recognized accrediting agency; or

(C) if conferred by a private educational institution or other person not described by Paragraph (A) or (B), including a private educational institution or other person that, at the time the degree was conferred, was not eligible to receive a certificate of authority under this subchapter and was operating outside the United States, a degree that the board, through the review process described by Section 61.3021, determines is not the equivalent of an accredited or authorized degree as described by that section.

Rhode Island

[SB 392 \(2007\)](#) – Prohibits the purchase and sale of academic degrees wherein the degree is obtained on the basis of a combination of a payment of a fee and the attainment of academic credit for so-called life experiences, without the applicant undertaking any coursework.

[§ 16-59-27](#) - Sale and purchase of degrees solely on the basis of life experience prohibited

. . . degree is obtained on the basis of a combination of a payment of a fee and the attainment of academic credit for so-called life experiences, without the applicant undertaking any academic coursework at the entity or institution purporting to issue the degree, shall be prohibited. Provided, this section shall not prohibit an award of academic credit for work experience or other so-called "life

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experience" as part of a program to obtain a degree in higher education, but shall prohibit the award of such degree solely on the basis of such experience.

Louisiana

[SB 94 \(2010\)](#) - Creates the crime of unlawful production, manufacture, distribution, or possession of a fraudulent postsecondary degree

[RS 14:72.5](#) - Unlawful production, manufacture, distribution or possession of fraudulent postsecondary education degree

B. For purposes of this Section:

(1) "Distribute a fraudulent postsecondary education degree" means to sell, give, transport, issue, provide, lend, deliver, transfer, transmit, distribute, or disseminate a fraudulent postsecondary education degree for any purpose.

(2) "Fraudulent postsecondary education degree" means a credential presented as a degree which provides information that is false, forged, altered, or counterfeit and signifies the satisfactory completion of the requirements of a postsecondary education program.

(3) "Produce or manufacture fraudulent postsecondary education degree" means to develop, prepare, design, create, or process a fraudulent postsecondary education degree for any purpose.