

By: Senator(s) Burton

To: Universities and
Colleges; Appropriations

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2037

1 AN ACT TO AMEND SECTION 37-101-241, MISSISSIPPI CODE OF 1972,
2 TO DEFINE THE AUTHORITY OF THE MISSISSIPPI COMMISSION ON COLLEGE
3 ACCREDITATION AND TO AUTHORIZE THE COMMISSION TO SEEK AN
4 INJUNCTION TO ENJOIN UNAPPROVED COURSE OFFERINGS; TO AMEND SECTION
5 37-4-11, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTOMATIC
6 REPEALER ON THE STATUTE PROVIDING FOR THE TRANSFER OF STATE-FUNDED
7 INDUSTRIAL TRAINING PROGRAMS AND POSTSECONDARY ADULT TRAINING
8 PROGRAMS TO THE STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES; AND
9 FOR RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** Section 37-101-241, Mississippi Code of 1972, is
12 amended as follows:

13 37-101-241. (1) There is hereby created the Commission on
14 College Accreditation. Said commission shall be composed of the
15 Executive Director of the State Board for Community and Junior
16 Colleges * * *, the Commissioner of Higher Education, or their
17 designees, and two (2) additional members, one (1) of whom shall
18 be selected by the foregoing two (2) members and who shall
19 represent the private colleges within the state, and one (1) of
20 whom shall be selected by the Mississippi Association of Colleges.
21 The latter two (2) members shall each serve for a term of three
22 (3) years.

23 (2) The commission shall meet and organize by electing from
24 among its membership a chairman, a vice chairman and a secretary.
25 The commission shall keep full and complete minutes and records of
26 all its proceedings and actions.

27 (3) The commission shall have the power and authority, and
28 it shall be its duty to prepare an approved list of community,
29 junior and senior colleges and universities or other entities
30 which offer one or more postsecondary academic degrees and are



31 domiciled, incorporated or otherwise located in the State of
32 Mississippi. Postsecondary academic degrees include, but are not
33 limited to, associate, bachelor, masters and doctorate
34 degrees. * * * The commission shall adopt standards which are in
35 keeping with the best educational practices in accreditation and
36 receive reports from the institutions seeking to be placed on the
37 approved list.

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

42 * * *

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

54 **SECTION 2.** Section 37-4-11, Mississippi Code of 1972, is
55 amended as follows:

56 37-4-11. (1) The purpose of this section is to insure the
57 uniform management, oversight and accountability of the
58 state-funded Industrial Training Programs, and postsecondary Adult
59 Short-term Training Programs and Workforce Education Programs
60 administered by the State Board for Community and Junior Colleges
61 for adults provided to the citizens of Mississippi.

62 (2) Effective July 1, 1999, all state-funded Industrial
63 Training Programs and postsecondary Adult Short-term Training



64 Programs administered by and through the State Department of
65 Education on June 30, 1999, shall be transferred to the Workforce
66 Education Program of the State Board for Community and Junior
67 Colleges. The Legislature shall appropriate annually to the State
68 Board for Community and Junior Colleges funds necessary to
69 administer these programs.

70 (3) Effective July 1, 1999, all funds, unexpended balances,
71 assets, liabilities and property of the State Department of
72 Education which are used in the delivery of postsecondary Adult
73 Short-term Training Programs and Industrial Training Programs,
74 excluding funds, unexpended balances, assets, liabilities and
75 property associated with the Research and Curriculum Unit at
76 Mississippi State University, shall be transferred to the
77 Workforce Education Program funds of the State Board for Community
78 and Junior Colleges. The State Department of Education also shall
79 transfer to the State Board for Community and Junior Colleges all
80 positions and funds employed by the State Department of Education
81 and community colleges which render industrial training,
82 postsecondary adult short-term training or workforce education
83 services, including the seven (7) administrative and support
84 positions providing support to these programs. Sufficient staff
85 positions shall be transferred from the State Department of
86 Education, which will have a reduction in training and educational
87 responsibilities by virtue of this act, to the State Board for
88 Community and Junior Colleges to assure that the transferred
89 responsibilities will be properly managed and administered. Any
90 funds available to the State Department of Education for
91 Industrial Training Programs and state-funded postsecondary Adult
92 Short-term Training Programs which are subject to carryover shall
93 be transferred to the Work Force Carryover Fund established by
94 Chapter 498, Laws of 1995, for use by the State Board for
95 Community and Junior Colleges, on or before August 15, 1999.



96 (4) The State Board for Community and Junior Colleges shall
97 develop an accountability system that shall report and describe
98 all classes taught in the area of workforce education, the number
99 of persons taught in these classes, and the location and cost of
100 each class taught. To assess the impact of these programs, the
101 State Board for Community and Junior Colleges also shall report:

102 (a) Whether the needs of industry have been met through
103 training program offerings;

104 (b) Any changes in the income of trainees between the
105 completion of training and the date of the report;

106 (c) The number of jobs created and the number of jobs
107 retained through the programs; and

108 (d) Trainee success in passing proficiency tests, where
109 applicable.

110 This information shall be reported on a fiscal year basis and
111 shall be provided to the House and Senate Education Committees
112 before December 15 of each year.

113 * * *

114 **SECTION 3.** This act shall take effect and be in force from
115 and after June 1, 2003.

