

By: Senator(s) Burton

To: Universities and
Colleges

SENATE BILL NO. 2408

1 AN ACT TO AMEND SECTIONS 37-101-241 AND 75-60-5, MISSISSIPPI
2 CODE OF 1972, TO EXEMPT CERTAIN DISTANCE LEARNING COURSES FROM THE
3 REQUIREMENTS OF PRIOR APPROVAL BY THE COMMISSION ON COLLEGE
4 ACCREDITATION AND THE COMMISSION ON PROPRIETARY SCHOOL AND COLLEGE
5 REGISTRATION; AND FOR RELATED PURPOSES.

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

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

9 37-101-241. There is hereby created the Commission on
10 College Accreditation. Said commission shall be composed of the
11 Director of the Division of Junior Colleges in the State
12 Department of Education, the Commissioner of Higher Education, and
13 two (2) additional members, one (1) of whom shall be selected by
14 the foregoing two (2) members and who shall represent the private
15 colleges within the state, and one (1) of whom shall be selected
16 by the Mississippi Association of Colleges. The latter two (2)
17 members shall each serve for a term of three (3) years.

18 The commission shall meet and organize by electing from among
19 its membership a chairman, a vice chairman and a secretary. The
20 commission shall keep full and complete minutes and records of all
21 its proceedings and actions.

22 The commission shall have the power and authority, and it
23 shall be its duty, to prepare an approved list of junior and
24 senior colleges and universities located in the State of
25 Mississippi. In preparing the list of approved colleges and
26 universities the commission shall adopt standards which are in
27 keeping with the best educational practices in accreditation and

28 receive reports from the institutions seeking to be placed on the
29 approved list.

30 All colleges and universities not already authorized to grant
31 degrees to students graduating from their courses must be approved
32 by the commission in order to grant diplomas of graduation or
33 degrees.

34 The provisions of this section shall not apply to private
35 commercial schools and colleges. The provisions of this section
36 shall not apply to any distance learning course domiciled in
37 Mississippi which does not provide education services to
38 Mississippi students.

39 **SECTION 2.** Section 75-60-5, Mississippi Code of 1972, is
40 amended as follows:

41 75-60-5. The provisions of this chapter do not apply to the
42 following categories of courses, schools or colleges:

43 (a) Tuition-free courses or schools conducted by
44 employers exclusively for their own employees;

45 (b) Schools, colleges, technical institutes, community
46 colleges, junior colleges or universities under the jurisdiction
47 of the Board of Trustees of State Institutions of Higher Learning
48 or the State Board for Community and Junior Colleges;

49 (c) Schools or courses of instruction under the
50 jurisdiction of the State Board of Cosmetology or State Board of
51 Barber Examiners;

52 (d) Courses of instruction required by law to be
53 approved or licensed, or given by institutions approved or
54 licensed, by a state board or agency other than the Commission on
55 Proprietary School and College Registration; however, a school so
56 approved or licensed may apply to the Commission on Proprietary
57 School and College Registration for a certificate of registration
58 to be issued in accordance with the provisions of this chapter;

59 (e) Correspondence courses;

60 (f) Nonprofit private schools offering academic credits
61 at primary or secondary levels, or conducting classes for
62 exceptional education as defined by regulations of the State
63 Department of Education;

64 (g) Private nonprofit colleges and universities or any
65 private school offering academic credits at primary, secondary or
66 postsecondary levels;

67 (h) Courses of instruction conducted by a public school
68 district or a combination of public school districts;

69 (i) Courses of instruction conducted outside the United
70 States;

71 (j) A school which offers only instruction in subjects
72 which the Commission on Proprietary School and College
73 Registration determines are primarily for avocational, personal
74 improvement or cultural purposes and which does not represent to
75 the public that its course of study or instruction will or may
76 produce income for those who take such study or instruction;

77 (k) Courses conducted primarily on an individual
78 tutorial basis, where not more than one (1) student is involved at
79 any one time, except in those instances where the Commission on
80 Proprietary School and College Registration determines that the
81 course is for the purpose of preparing for a vocational objective;

82 (l) Kindergartens or similar programs for preschool-age
83 children;

84 (m) Any distance learning courses domiciled in
85 Mississippi which do not provide education services to Mississippi
86 students.

87 **SECTION 3.** This act shall take effect and be in force from
88 and after July 1, 2004.