

By: Senator(s) Harden

To: Universities and
Colleges

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2218

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; AND FOR RELATED
5 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. (1) There is hereby created the Commission on
10 College Accreditation. Said commission shall be composed of the
11 Executive Director of the State Board for Community and Junior
12 Colleges, the Commissioner of Higher Education, or their
13 designees, and two (2) additional members, one (1) of whom shall
14 be selected by the foregoing two (2) members and who shall
15 represent the private colleges within the state, and one (1) of
16 whom shall be selected by the Mississippi Association of Colleges.
17 The latter two (2) members shall each serve for a term of three
18 (3) years.

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

23 (3) The commission shall have the power and authority, and
24 it shall be its duty, to prepare an approved list of community,
25 junior and senior colleges and universities or other entities
26 which offer one or more post-secondary academic degrees and are
27 domiciled, incorporated or otherwise located in the State of
28 Mississippi. Post-secondary academic degrees include, but are not

29 limited to, associate, bachelor, masters and doctorate
30 degrees. * * * The commission shall adopt standards which are in
31 keeping with the best educational practices in accreditation and
32 receive reports from the institutions seeking to be placed on the
33 approved list.

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

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

51 (6) The provisions of this section shall not apply to
52 private * * * schools that are accredited by the Southern
53 Association of Colleges and Schools (SACS) or to the proprietary
54 schools as defined in Sections 75-60-3, 75-60-4 and 75-60-5.

55 (7) The provisions of this section shall not apply to any
56 institution that has filed a letter of intent with the Mississippi
57 Commission on College Accreditation and is pursuing accreditation
58 from an accreditation agency recognized by the U.S. Department of
59 Education, until the accreditation agency has made a final
60 determination regarding the institution's accreditation

61 application. This subsection (7) shall stand repealed from and
62 after July 1, 2008.

63 **SECTION 2.** This act shall take effect and be in force from
64 and after July 1, 2006.