

By: Senator(s) Harden

To: Universities and  
Colleges

SENATE BILL NO. 2218  
(As Sent to Governor)

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