

By: Senator(s) Parks

To: Universities and Colleges

SENATE BILL NO. 2581

1 AN ACT TO AMEND SECTION 37-101-241, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF
 3 HIGHER LEARNING SHALL APPOINT STAFF AS MAY BE REQUIRED FOR THE
 4 PERFORMANCE OF THE DUTIES OF THE COMMISSION ON COLLEGE
 5 ACCREDITATION AND TO PROVIDE NECESSARY FACILITIES AND SUPPORT TO
 6 MANAGE THE DUTIES OF THE COMMISSION; TO PROVIDE THAT THE
 7 COMMISSION SHALL AUTHORIZE AND MAINTAIN AN APPROVED LIST OF ALL
 8 PUBLIC AND PRIVATE POSTSECONDARY, ACADEMIC DEGREE-GRANTING
 9 INSTITUTIONS OR ANY OTHER ENTITIES DOMICILED IN THE STATE WHICH
 10 OFFER POSTSECONDARY ACADEMIC DEGREES OR PROGRAMS; TO ALLOW THE
 11 BOARD TO CHARGE THE COMMISSION FOR THE ACTUAL COSTS INCURRED BY
 12 THE BOARD TO ASSIST IN THE PERFORMANCE OF THE COMMISSION'S DUTIES;
 13 TO AMEND SECTION 37-101-243, MISSISSIPPI CODE OF 1972, TO CONFORM
 14 TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

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

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

18 37-101-241. (1) There is hereby created the Mississippi
 19 Commission on College Accreditation. Said commission shall be
 20 composed of the Executive Director of the Mississippi Community
 21 College Board, the Commissioner of Higher Education, or their
 22 designees, and three (3) additional members, one (1) of whom shall
 23 be selected by the foregoing two (2) members and who shall
 24 represent the private colleges within the state, and two (2) of



25 whom shall be selected by the Mississippi Association of Colleges.
26 The latter three (3) members shall each serve for a term of three
27 (3) years.

28 (2) The commission shall meet and organize by electing from
29 among its membership a chairman, a vice chairman and a secretary.
30 The commission shall keep full and complete minutes and records of
31 all its proceedings and actions.

32 (3) The Board of Trustees of State Institutions of Higher
33 Learning shall appoint staff as may be required for the
34 performance of the commission's duties and provide necessary
35 facilities, support, equipment, supplies, travel and other
36 expenses required to properly manage the duties of the commission.

37 (4) The Board of Trustees of State Institutions of Higher
38 Learning may charge the commission for the actual cost incurred by
39 the board to assist in the performance of the commission's duties.

40 (5) The commission shall have the power and authority, and
41 it shall be its duty, to * * * authorize and maintain an approved
42 list of * * * all public and private postsecondary, academic
43 degree-granting institutions or any other entities domiciled,
44 incorporated or otherwise located in the State of Mississippi
45 which offer postsecondary academic degrees, programs or
46 coursework. For purposes of this chapter, "domiciled" shall mean
47 conducting postsecondary academic activity, including field
48 placements, within the State of Mississippi. Postsecondary
49 academic degrees include, but are not limited to, associate,



50 bachelor, masters and doctorate degrees. The commission shall
51 adopt standards which are in keeping with the best educational
52 practices in accreditation and receive reports from the
53 institutions seeking to be placed on the approved list.

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

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

71 (* * *8) The provisions of subsection (5) shall not apply
72 to community, junior and senior colleges and universities with the
73 main campus in Mississippi that were chartered, authorized or
74 approved by the commission prior to July 1, 1988.



75 (* * *9) The provisions of this section shall not apply to
76 the proprietary schools and colleges subject to regulation under
77 Section 75-60-1 et seq.

78 (* * *10) The Commission on College Accreditation may
79 promulgate rules and regulations and establish appropriate fees
80 for the implementation of this section.

81 (* * *11) The commission shall have the power and
82 authority, and it shall be its duty, to execute site visits when
83 deemed necessary by the commission. The members of the commission
84 and commission-appointed evaluation teams shall receive reasonable
85 traveling expenses and other authorized expenses incurred in the
86 performance of commission duties, together with other expenses of
87 the operation of the commission. The members of the Commission on
88 College Accreditation shall serve without salary compensation but
89 shall receive a per diem and mileage as authorized by law
90 including time of going to and returning from site visits of said
91 commission, together with actual travel and hotel expenses
92 incident to the site visits of the commission, and in the
93 discharge of duties prescribed by the commission.

94 **SECTION 2.** Section 37-101-243, Mississippi Code of 1972, is
95 amended as follows:

96 37-101-243. (1) For the purposes of this section, these
97 words are defined as follows:

98 (a) "Commission" means the Commission on College
99 Accreditation created under Section 37-101-241; and



100 (b) "Institution" means and includes institutions of
101 higher learning approved under Section 37-101-241 and proprietary
102 schools and other entities subject to regulation under Section
103 75-60-1 et seq.

104 (2) The commission may enter into and administer interstate
105 reciprocity agreements that allow institutions to offer
106 postsecondary distance education. The commission is further
107 authorized to carry out the following duties as related to
108 interstate reciprocity agreements:

109 (a) Approve or disapprove participation in these
110 agreements by institutions;

111 (b) Establish fees to be paid by participating
112 institutions to cover the commission's direct and indirect
113 administrative costs incurred by the commission or by the Board of
114 Trustees of State Institutions of Higher Learning on the
115 commission's behalf;

116 (c) Serve as the state point of contact for questions,
117 complaints and other communications;

118 (d) Enter into agreements with other state agencies
119 regarding state responsibilities; and

120 (e) Form committees to assist in establishing policies
121 and procedures.

122 (3) The commission shall not:

123 (a) Require institutions to participate in interstate
124 reciprocity agreements; or



125 (b) Prohibit institutions that do not participate in
126 these agreements from offering postsecondary distance education.

127 **SECTION 3.** This act shall take effect and be in force from
128 and after July 1, 2023.

