

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.

