

By: Representative Young

To: Universities and  
Colleges

## HOUSE BILL NO. 1080

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; TO AUTHORIZE THE COMMISSION TO SEEK INJUNCTIVE  
4 RELIEF TO ENJOIN THE OFFERING OF A COURSE THAT HAS NOT BEEN  
5 APPROVED BY THE COMMISSION; 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. (1) There is \* \* \* created the Commission on  
10 College Accreditation. The commission shall be composed of the  
11 Executive Director of the State Board of Community and Junior  
12 Colleges, or his or her designee, the Commissioner of Higher  
13 Education, or his or her designee, and two (2) additional members,  
14 one (1) of whom shall be selected by the foregoing two (2) members  
15 and who shall represent the private colleges within the state, and  
16 one (1) of whom shall be selected by the Mississippi Association  
17 of Colleges. The latter two (2) members shall each serve for a  
18 term of three (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 that  
26 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 degrees.

30 The commission shall adopt standards which are in keeping with the  
31 best educational practices in accreditation and receive reports  
32 from the institutions seeking to be placed on the approved list.

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

37 (5) The commission shall petition the chancery court of the  
38 county in which a person or agent offers one or more  
39 post-secondary academic degrees subject to the provisions of this  
40 chapter or advertises for the offering of those degrees without  
41 having first obtained approval by the commission, for an order  
42 enjoining the offering or advertising of courses not approved by  
43 the commission. The court may grant injunctive relief upon a  
44 showing that the respondent named in the petition is offering or  
45 advertising one or more post-secondary academic degrees without  
46 having obtained prior approval of the commission. The Attorney  
47 General or the district attorney of the district, including the  
48 county in which the action is brought, upon written request of the  
49 commission, shall represent the commission in bringing any such  
50 action.

51 The provisions of this section shall not apply to private  
52 schools that are accredited by the Southern Association of  
53 Colleges and Schools (SACS) or to proprietary schools as defined  
54 in Section 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, 2005.