

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.