

By: Senator(s) Harden

To: Universities and
Colleges

SENATE BILL NO. 2291

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 postsecondary academic degrees and are
27 domiciled, incorporated or otherwise located in the State of
28 Mississippi. Postsecondary 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 postsecondary
40 academic degrees subject to the provisions of this chapter or
41 advertises for the offering of such degrees, without having first
42 obtained approval by the commission, for an order enjoining such
43 offering or advertising. The court may grant such injunctive
44 relief upon a showing that the respondent named in the petition is
45 offering or advertising one or more postsecondary academic degrees
46 without having obtained prior approval of the commission. The
47 Attorney General or the district attorney of the district,
48 including the county in which such action is brought, shall, upon
49 request of the commission, represent the commission in bringing
50 any such action.

51 The provisions of this section shall not apply to private
52 colleges as accredited by the Southern Association of Colleges and
53 Schools, or to proprietary schools as defined in Sections 75-60-3,
54 75-60-4 and 75-60-5. The provisions of this section shall not
55 apply to any distance learning course established prior to July 1,
56 2001, which is domiciled in Mississippi and which does not provide
57 education services to Mississippi students.

58 **SECTION 2.** This act shall take effect and be in force from
59 and after July 1, 2005.