Chapter No. 501
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SENATE BILL NO. 2711

Originated in Senate [signature] Secretary

SENATE BILL NO. 2711

AN ACT TO AMEND SECTIONS 75-60-5 AND 73-7-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN NATIONALLY ACCREDITED PROPRIETARY SCHOOLS ARE AUTHORIZED TO FOLLOW FEDERAL STANDARDS FOR HIRING AND TRAINING FACULTY; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 75-60-5, Mississippi Code of 1972, is amended as follows:

75-60-5. (1) The provisions of this chapter do not apply to the following categories of courses, schools or colleges:

(a) Tuition-free courses or schools conducted by employers exclusively for their own employees;

(b) Schools, colleges, technical institutes, community colleges, junior colleges or universities under the jurisdiction of the Board of Trustees of State Institutions of Higher Learning or the State Board for Community and Junior Colleges;

(c) Schools or courses of instruction under the jurisdiction of the State Board of Cosmetology, State Board of Barber Examiners or the State Board of Massage Therapy;

(d) Courses of instruction required by law to be approved or licensed, or given by institutions approved or licensed, by a state board or agency other than the Commission on Proprietary School and College Registration; however, a school so approved or licensed may apply to the Commission on Proprietary School and College Registration for a certificate of registration to be issued in accordance with the provisions of this chapter;

(e) Correspondence courses;

(f) Nonprofit private schools offering academic credits at primary or secondary levels, or conducting classes for exceptional education as defined by regulations of the State Department of Education;

(g) Private nonprofit colleges and universities or any private school offering academic credits at primary, secondary or postsecondary levels;

(h) Courses of instruction conducted by a public school district or a combination of public school districts;

(i) Courses of instruction conducted outside the United States;

(j) A school that offers only instruction in subjects that the Commission on Proprietary School and College Registration determines are primarily for a vocational, personal improvement or cultural purposes and that does not represent to the public that its course of study or instruction will or may produce income for those who take that study or instruction;

(k) Courses conducted primarily on an individual tutorial basis, where not more than one (1) student is involved at any one (1) time, except in those instances where the Commission on Proprietary School and College Registration determines that the course is for the purpose of preparing for a vocational objective;

(l) Kindergartens or similar programs for preschool-age children.

(2) Nationally accredited schools shall follow accreditation standards for hiring and training faculty and any state statute that contradicts those federal standards are not applicable to nationally accredited schools. All other schools must comply fully with the applicable state statutes.

SECTION 2. Section 73-7-16, Mississippi Code of 1972, is amended as follows:

73-7-16. All schools of cosmetology or school owners shall have a school license and shall pay to the board the required

license fee annually therefor. A grace period of sixty (60) days will be given in which to renew the license, and upon the expiration of the grace period of sixty (60) days, any applicant for the renewal of a school license will be required to pay a delinquent fee in addition to the renewal fee. The board is hereby authorized and empowered to promulgate necessary and reasonable rules and regulations for the issuance and renewal of school licenses. However, the board shall not refuse to issue or renew a school's license because of the number of schools already in that area of the state, and any rule promulgated by the board for that purpose shall be null and void.

Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

Nationally accredited schools shall follow accreditation standards for hiring and training faculty and any state statute that contradicts those federal standards are not applicable to nationally accredited schools. All other schools must comply fully with the applicable state statutes.

SECTION 3. This act shall take effect and be in force from and after July 1, 2010.

PASSED BY THE SENATE
February 10, 2010

PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 3, 2010

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

GOVERNOR

4/13/10 5:07 pm