

The Senate Higher Education Committee offered the following substitute to HB 792:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-3-250.8 of the Official Code of Georgia Annotated, relating to
2 applications to operate or conduct postsecondary activities under the "Nonpublic
3 Postsecondary Educational Institutions Act of 1990," so as to provide for authorization to
4 operate by means of accreditation for nonpublic postsecondary institutions that meet certain
5 requirements; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

8
9 Code Section 20-3-250.8 of the Official Code of Georgia Annotated, relating to applications
10 to operate or conduct postsecondary activities under the "Nonpublic Postsecondary
11 Educational Institutions Act of 1990," is amended by revising subsection (a) as follows:

12 "(a)(1) Each nonpublic postsecondary educational institution desiring to operate or conduct
13 postsecondary activities in this state shall make application to the commission, upon forms
14 to be provided by the commission. Such application shall be accompanied by a catalog or
15 other written description published, or proposed to be published, by the institution,
16 containing the information specified in subparagraph (a)(1)(D) of Code Section 20-3-250.6,
17 including information required by rules and regulations of the commission. Such
18 application shall also be accompanied by evidence of a surety bond if required by Code
19 Section 20-3-250.10 and subsection (c) of Code Section 20-3-250.27 and shall be
20 accompanied by payment of the fees specified in Code Section 20-3-250.11; provided,
21 however, that when making application to the commission for authorization to operate,
22 those institutions exempt from certain provisions of this part pursuant to the provisions of
23 paragraph (10) of subsection (a) of Code Section 20-3-250.3 or subsection (c) of Code
24 Section 20-3-250.3 shall be required to submit only those documents pertaining to
25 provisions of this part from which such institutions are not exempt.

26 (2)(A) Notwithstanding paragraph (1) of this subsection, a nonpublic postsecondary
27 educational institution that meets the following criteria may apply for an authorization
28 to operate by means of accreditation from the commission:

29 (i) The institution has operated legally in this state for at least ten consecutive years;

30 (ii) The institution holds institutional accreditation by an accrediting agency that is
31 recognized by either the Council for Higher Education Accreditation or the United
32 States Department of Education for at least ten consecutive years; and

33 (iii) The institution has no unresolved complaints to or actions by the commission
34 against it in the past 12 months.

35 (B) The commission may not require an institution granted an authorization to operate
36 by means of accreditation to submit information or reports that differ from the
37 information or reports required by its accrediting association; provided, however, that
38 each such institution shall file with the commission an application for renewal which
39 shall be accompanied by payment of the fees specified in Code Section 20-3-250.11 and
40 shall follow all other applicable requirements of this part.

41 (C) An institution granted an authorization to operate by means of accreditation shall be
42 required to apply for and obtain a regular authorization to operate for any new or existing
43 program which exceeds the level or scope of such institution's accreditation."

44

SECTION 2.

45 All laws and parts of laws in conflict with this Act are repealed.