

§ 115D-6.2. Accreditation.

(a) Definitions. – The following definitions apply in this section:

- (1) Accreditation cycle. – The period of time during which a community college is accredited.
- (2) Accrediting agency. – An agency or association that accredits institutions of higher education.
- (3) Regional accrediting agency. – One of the following accrediting agencies:
 - a. Higher Learning Commission.
 - b. Middle States Commission on Higher Education.
 - c. New England Commission on Higher Education.
 - d. Northwest Commission on Colleges and Universities.
 - e. Southern Association of Colleges and Schools Commission on Colleges.
 - f. Western Association of Schools and Colleges Accrediting Commission for Community and Junior Colleges.

(b) Prohibit Consecutive Accreditation by an Accrediting Agency. – A community college shall not receive accreditation by an accrediting agency for consecutive accreditation cycles except as provided in subsection (c) of this section.

(c) Accreditation Transfer Procedure. – A community college that pursues accreditation with a different accrediting agency in accordance with this section shall pursue accreditation with a regional accrediting agency. If the community college is not granted candidacy status by any regional accrediting agency that is different from its current accrediting agency at least three years prior to the expiration of its current accreditation, the community college may remain with its current accrediting agency for an additional accreditation cycle.

(d) Certain Programs Exempt. – The requirements of this section do not apply to professional, departmental, or certificate programs at community colleges that have specific accreditation requirements or best practices, as identified by the State Board of Community Colleges.

(e) Cause of Action. – A community college may bring a civil action, as follows:

- (1) Against any person who makes a false statement to the accrediting agency of the community college, if all of the following criteria are met:
 - a. The statement, if true, would mean the community college is out of compliance with its accreditation standards.
 - b. The person made the statement with knowledge that the statement was false or with reckless disregard as to whether it was false.
 - c. The accrediting agency conducted a review of the community college as a proximate result of the statement.
 - d. The review caused the community college to incur costs.
- (2) A community college that prevails on a cause of action initiated pursuant to this subsection shall be entitled to the following:
 - a. Costs related to the review conducted by the accrediting agency, including for the following:
 1. Additional hours worked by community college personnel.
 2. Contracted services, including outside legal counsel.
 3. Travel, lodging, and food expenses.
 4. Fees required by the agency.
 - b. Reasonable attorney fees.
 - c. Court costs. (2023-132, s. 3.2(b).)