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MEMORANDUM

To: Senate Committee on Education
From: Office of Revisor of Statutes
Date: February 7, 2025
Subject: SB 78—Postsecondary Educational Institution Accreditation Policies

Senate Bill 78 would require postsecondary educational institutions to regularly review and update accreditation policies, prohibiting accrediting agencies from compelling such institutions to violate state law and providing a cause of action for violations thereof.

SB 78 would establish a new section of law to require that the governing body of postsecondary educational institutions regularly review and update the institution's policies and practices on accreditation. Additionally, by December 31, 2025, the governing body would be required to identify accrediting agencies or associations recognized by the United States department of education that are eligible to accredit the postsecondary educational institution and update institution's policies and practices on accreditation to ensure that the institution may pursue accreditation by any such agency or association that is appropriate for the institutions programs.

The bill would prohibit each accrediting agency or association from compelling a postsecondary educational institution to violate the law. Any adverse action taken against a postsecondary educational institution for complying with the law would be a violation that may be enforced under state law.

If a postsecondary educational institution is negatively affected by a violation, such institution may bring a civil action against the accrediting agency or association. The institution would be required to notify the legislature in writing within 30 days of such violation.

As used in the act, "postsecondary educational institution" would include state educational institutions, the municipal university and private postsecondary educational institutions that are subject to the Kansas private and out-of-state postsecondary educational institution act.

The bill would take effect on July 1, 2025, upon publication in the statute book.