

## HB382 INTRODUCED



1 HB382  
2 PS99FGE-1  
3 By Representative DuBose  
4 RFD: Education Policy  
5 First Read: 05-Feb-26



SYNOPSIS:

This bill would authorize the board of trustees of each public institution of higher education to choose to pursue accreditation by any nationally recognized accrediting agency approved by the United States Department of Education.

This bill would prohibit accrediting agencies from requiring a public institution of higher education to violate state law or from taking adverse action against an institution for its compliance with state law, except where the state law is preempted by federal law, and would require the board of trustees to report violations to the Legislature.

This bill would authorize the board of trustees of any public institution of higher education to bring a civil action against an accrediting agency that violates this bill and to notify the Legislature of any violations.

This bill would also make conforming changes.

A BILL

TO BE ENTITLED

AN ACT

Relating to public institutions of higher education; to



## HB382 INTRODUCED

further provide for the accrediting of public institutions of higher education; to prohibit accrediting agencies from taking certain actions related to state law, unless the state law is preempted by federal law; to create a civil action against accrediting agencies that violate this act; to require violations to be reported to the Legislature; and to amend Sections 16-5-52, 16-5-54.1, 16-5-100, as created by Act 2025-337 of the 2025 Regular Session, 16-33A-1, and 16-33D-3, Code of Alabama 1975, to make conforming changes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the following terms have the following meanings:

(1) BOARD OF TRUSTEES. Each of the following:

a. Each constitutionally created board of trustees of a public institution of higher education.

b. The board of trustees of each public institution of higher education.

c. For each community and technical college operated under the purview of the Alabama Community College System (ACCS), the Board of Trustees of ACCS.

(2) PUBLIC INSTITUTION OF HIGHER EDUCATION. The same meaning as provided in Section 16-5-1, Code of Alabama 1975.

(b) A board of trustees may choose to pursue accreditation by any nationally recognized accrediting agency approved by the United States Department of Education. A public institution of higher education may also pursue accreditation by the Commission for Public Higher Education, or other accrediting agency not approved by the United States



## HB382 INTRODUCED

Department of Education, if the public institution of higher education continues to maintain its accreditation from a nationally recognized accrediting agency approved by the United States Department of Education.

(c) (1) No accrediting agency or association may: (i) compel a public institution of higher education to violate any state law; or (ii) take adverse action against a public institution of higher education based, in whole or in part, on that institution's compliance with state law. The adverse action may be taken to the extent that the state law is not preempted by a federal law recognizing the necessity of the accreditation standard or requirement.

(2) If an accrediting agency or association violates subdivision (1), the board of trustees of the affected public institution of higher education shall notify the Chairs of the Senate Education Policy and House Education Policy Committees in writing not more than 30 calendar days after the violation occurred.

(d) A public institution of higher education subject to adverse action from an accrediting agency or association in violation of subsection (c) may bring a civil action against the accrediting agency or association.

(e) It is the intent of the Legislature that all constitutionally created boards of trustees comply with the requirements of this section.

Section 2. Sections 16-5-52, 16-5-54.1, 16-5-100, as created by Act 2025-337 of the 2025 Regular Session, 16-33A-1, and 16-33D-3, Code of Alabama 1975, are amended to read as



## HB382 INTRODUCED

follows:

"§16-5-52

For the purposes of this article, the following terms ~~shall~~ have the following meanings:

(1) APPROVED INSTITUTION. A state-supported institution of higher education or a private nonprofit institution of higher education that satisfies all of the following:

a. Is accredited by ~~the Southern Association of Colleges and Schools Commission on Colleges~~ any nationally recognized accrediting agency approved by the United States Department of Education.

1. An institution that is in the process of seeking accreditation from another accrediting agency approved by the United States Department of Education shall remain an approved institution, provided the institution continuously maintains accreditation by a nationally recognized accrediting agency approved by the United States Department of Education during the approval process.

2. An institution that is in the process of seeking accreditation from another accrediting agency that is seeking approval by the United States Department of Education shall remain an approved institution, provided the institution continuously maintains accreditation by a nationally recognized accrediting agency approved by the United States Department of Education during the approval process. Upon approval of the new accrediting agency by the United States Department of Education, the institution may transition its accreditation to that agency, provided that no gap or lapse in



## HB382 INTRODUCED

accreditation occurs at any time.

b. Is approved by the State Board of Education to prepare teachers of middle level or secondary math, science, or computer science.

c. Is eligible to receive Title IV federal student aid program funds.

d. Maintains its primary headquarters in Alabama.

(2) CHARTER SCHOOL. A form of public school established pursuant to Chapter 6F of Title 16. A teacher employed by ~~a~~ an accredited charter school, ~~accredited by the Southern Association of Colleges and Schools~~ as recognized by the Alabama Department of Education's Office of Public Charter Schools, is eligible to participate in the program. A teacher employed by a charter school is not eligible for the acute shortage area supplement provided in this article.

(3) COMMISSION. The Alabama Commission on Higher Education.

(4) ELIGIBLE APPLICANT. ~~A person~~ An individual who satisfies the criteria set out in this article and is eligible under rules adopted by the commission.

(5) PROGRAM. The Alabama Math and Science Teacher Education Program created by this article and administered by the commission that provides loan repayments to a teacher with a valid Alabama professional educator certificate endorsed in math, science, or computer science who teaches math, science, or computer science courses for which the teacher is properly certified for three-fourths of the full-time teaching load in the Alabama public school system.



## HB382 INTRODUCED

(6) SCIENCE. Biology, chemistry, physics, and general science.

(7) YEAR. A school year that shall be divided into fall and spring semesters. The term does not mean calendar, fiscal, or scholastic year."

"§16-5-54.1

(a) Beginning in the ~~fall~~ Fall semester of 2021, the benefits outlined in ~~subsection (a) of~~ Section 16-5-54 (a) shall apply to the following eligible individuals, pending authorization to teach in Alabama and subsequent employment in an Alabama public school:

(1) An individual who graduated from a ~~regionally accredited~~ college or university located in Alabama or in another state, that is accredited by a nationally recognized accrediting agency approved by the United States Department of Education, who is certified to teach math, science, or computer science in another state, and who may or may not reside within Alabama.

(2) An individual who resides in another state and is a graduate of a State Board of Education approved program in math, science, or computer science, at the baccalaureate or master's level after the 2021 ~~spring~~ Spring semester term from an approved Alabama institution and who holds an initial middle-level or secondary professional educator certificate endorsed in math, science, or computer science that was issued based upon completion of the approved program in math, science, or computer science. A teacher who only earns a passing score on the Praxis test in math, science, or computer



## HB382 INTRODUCED

science to add a certificate endorsement for math, science, or computer science and who has not completed an entire approved program, does not satisfy this requirement.

(b) The individuals listed in subsection (a) shall also satisfy all of the following criteria:

(1) Hold a valid Alabama professional educator certificate endorsed in middle-level or secondary math, science, or computer science, or any combination of the three.

(2) Teach a schedule in which at least three-fourths of the full-time teaching load is comprised of math, science, or computer science courses for which the teacher is properly certified in an Alabama public school system.

(3) Be citizens or lawful permanent residents of the United States.

(4) Have outstanding federal student loans, subsidized or unsubsidized.

(5) Satisfy additional continuing eligibility criteria established by the commission.

(c) In order to receive an additional supplement pursuant to this article, in addition to the criteria listed in subsections (a) and (b), a recipient shall also teach math, science, or computer science courses, or any combination of the three, for which he or she is properly certified, in a school system within the state with an acute teacher shortage in math, science, or computer science, or any combination of the three, as identified by the commission in consultation with the State Department of Education or in a school that has been designated as a ~~failing~~ priority school, pursuant to





## HB382 INTRODUCED

Section 16-6D-4, or any other term subsequently adopted to identify underperforming schools, by the State Board of Education or the Legislature."

"§16-5-100

For the purposes of this article, the following terms have the following meanings:

(1) APPROVED DEGREE. A completed master's degree recognized by the Commission on Accreditation of Athletic Training Education for an athletic training program through which students become eligible for an approved degree.

(2) APPROVED INSTITUTION. A public or private nonprofit institution of higher education that satisfies both of the following:

a. Is accredited by ~~the Southern Association of Colleges and Schools Commission on Colleges or by a~~ any nationally recognized accrediting agency that provides the institution with eligibility to receive Title IV federal student aid.

b. Is accredited by the Commission on Accreditation of Athletic Training Education for an athletic training program through which students become eligible for national certification upon successfully completing the Board of Certification, Inc. examination.

(3) ATHLETIC TRAINING SERVICES. Services provided by a licensed athletic trainer within the scope of athletic training practice pursuant to Chapter 40 of Title 34.

(4) CERTIFICATION. National recognition by successfully completing the Board of Certification, Inc. examination for



## HB382 INTRODUCED

225 athletic training.

226 (5) CHARTER SCHOOL. A public K-12 school established  
227 pursuant to Chapter 6F.

228 (6) COMMISSION. The Alabama Commission on Higher  
229 Education.

230 (7) ELIGIBLE APPLICANT. An individual who satisfies the  
231 criteria set out in this article and is eligible under rules  
232 adopted by the commission in consultation with the Alabama  
233 Board of Athletic Trainers.

234 (8) LICENSED ATHLETIC TRAINER. A health care  
235 professional who is legally authorized to perform athletic  
236 training services within this state upon satisfying all of the  
237 following requirements:

238 a. Graduated from an approved athletic training program  
239 at the master's degree level from an approved institution.

240 b. Passed the Board of Certification, Inc. examination.

241 c. Holds a valid license from the Alabama Board of  
242 Athletic Trainers which verifies the individual meets  
243 state-specific requirements, including continuing education.

244 (9) LOAN ASSISTANCE SUPPORT. Financial assistance  
245 provided to a licensed athletic trainer who provides athletic  
246 training services at a qualifying institution and has an  
247 outstanding federal student loan balance.

248 (10) PROGRAM. The Alabama Math and Science Teacher  
249 Education Program (AMSTEP), or any successor program,  
250 administered by the commission in consultation with the  
251 Alabama Board of Athletic Trainers.

252 (11) QUALIFYING INSTITUTION. A public K-12 school or



## HB382 INTRODUCED

school system in this state which requires athletic training services for sanctioned activities governed by an organization, including the Alabama High School Athletic Association or the Alabama Independent School Association.

(12) YEAR. The fall, spring, and summer semesters of an academic year of a qualifying institution.

"§16-33A-1

As used in this chapter, unless the context requires otherwise, the following terms ~~shall~~ have the following meanings ~~respectively ascribed to them by this section:~~

(1) ACHE. The Alabama Commission on Higher Education.

(2) ALABAMA RESIDENT. ~~A person~~ An individual who has been domiciled in the State of Alabama for a period of at least 12 consecutive months immediately preceding application for a grant under the Alabama Student Grant Program. The ACHE shall ~~promulgate~~ adopt and enforce ~~regulations~~ rules further defining and limiting the term "domicile" so as to limit the benefits of this legislation to bona fide Alabama ~~citizens~~ residents, based upon criteria including residency of parents and guardians, voter registration of students and parents, ~~driver's~~ driver license registration, and other facts indicating bona fide ~~citizenship~~ residency.

(3) APPROVED INSTITUTION. Any independent nonprofit postsecondary institution of higher learning located in the State of Alabama which is accredited by ~~the Commission on Colleges of the Southern Association of Colleges and Schools~~ any nationally recognized accrediting agency approved by the United States Department of Education, any independent



## HB382 INTRODUCED

281 nonprofit postsecondary institution of higher learning whose  
282 credits are accepted by at least three other institutions  
283 which are accredited by ~~the Commission on Colleges of the~~  
284 ~~Southern Association of Colleges and Schools~~ any nationally  
285 recognized accrediting agency approved by the United States  
286 Department of Education, or any independent postsecondary  
287 institution of higher learning with a permanent facility  
288 offering classroom instruction located in Montgomery County,  
289 Alabama, which has been incorporated and in continuous  
290 operation for over 50 years and which has been accredited for  
291 over 10 years by the Commission on Colleges of the Southern  
292 Association of Colleges and Schools, prior to July 1, 2010.  
293 ~~Such an~~ An approved institution must have an academic  
294 curriculum which is not comprised principally of sectarian  
295 instruction or preparation of students for a sectarian  
296 vocation and which does not award primarily theologian or  
297 seminarian degrees. To the extent that any ~~such~~ institution  
298 may have a religious or denominational affiliation, ~~it~~ the  
299 institution must perform essentially secular educational  
300 functions which are distinct and separable from religious  
301 activity. ~~Such an~~ An approved institution must not  
302 discriminate in its admissions practices on the basis of  
303 religious or denominational preference. No independent  
304 postsecondary institution of higher learning shall be  
305 considered an approved institution during any fiscal year in  
306 which ~~it~~ the institution receives a direct appropriation from  
307 the State of Alabama. Nothing contained herein shall be  
308 construed to limit, replace, or diminish any direct state



## HB382 INTRODUCED

appropriation now being made or which shall hereafter be made to any independent institution of higher learning.

(4) ELIGIBLE STUDENT. Any applicant for a grant under the Alabama Student Grant Program who:

a. Has obtained a certificate of graduation from a secondary school or the recognized equivalent of ~~such~~ graduation; ~~and~~

b. Is classified as an undergraduate student, ~~as defined in this chapter; and~~

c. Is an Alabama resident, ~~as defined in this chapter; and~~

d. Is a citizen of the United States or in the process of becoming a citizen of the United States; ~~and~~

e. Is enrolled or accepted for enrollment as a full-time or part-time student in a program of at least six months' duration in an approved institution ~~as defined in this chapter; and~~

f. Is not enrolled and does not intend to enroll in a course of study leading to an undergraduate degree in theology or divinity.

(5) FULL-TIME STUDENT. An individual student who meets the criteria established by definitions, and rules, ~~and regulations to be~~ established by the ACHE.

(6) GRANT. A monetary award under the Alabama Student Grant Program to an approved institution on behalf of and to the credit of an eligible student pursuant to this chapter.

(7) INSTITUTIONAL RELATED EXPENSES. Nonsectarian educational expenses, including, but not limited to, tuition,



## HB382 INTRODUCED

mandatory fees, room and board, transportation, books and supplies, and other incidental nonsectarian education expenses anticipated by an eligible student.

(8) PART-TIME STUDENT. An individual student who meets all qualifications as an eligible student and who meets the further criteria ~~to be~~ established by the ACHE.

(9) PROGRAM. The Alabama Student Grant Program, including the administration ~~thereof~~ of the program.

(10) UNDERGRADUATE STUDENT. Any individual student who meets all other qualifications as an eligible student and has not received a baccalaureate degree or its equivalent."

"§16-33D-3

For the purposes of this chapter, the following terms have the following meanings:

(1) ACADEMIC TERM. A portion of an academic year, such as a quarter or semester, during which an institution of higher education holds classes, including, but not limited to, Fall, Winter, Spring, or Summer semesters.

(2) ADULT LEARNER. An individual who is 25 years of age or older and returning to college.

(3) ALABAMA RESIDENT. An individual who has been classified as an in-state resident by an authorized institution, who has established residency within this state for at least a 12-month period prior to the beginning of the term for which financial assistance is requested, and who is in this state for other than a temporary purpose.

(4) APPROVED INSTITUTION. A state-supported institution of higher education or a private nonprofit institution of



## HB382 INTRODUCED

higher education that satisfies all of the following:

a. Is accredited by ~~the Southern Association of Colleges and Schools Commission on Colleges, or the Council on Occupational Education~~ any nationally recognized accrediting agency approved by the United States Department of Education.

b. Is eligible to receive Title IV federal student aid program funds.

c. Maintains its primary headquarters in Alabama.

(5) AUTHORIZED INSTITUTION. An approved institution that files a signed agreement with the commission to comply with all rules and procedures of the ReEngage Alabama Grant Program as provided by the commission.

(6) COMMISSION. The Alabama Commission on Higher Education.

(7) CONTINUOUS ENROLLMENT. When an adult learner is making academic progress toward degree completion without a stop-out in enrollment of more than one consecutive semester or quarter, such as Fall/Winter to Spring, Spring to Summer/Fall, or Summer to Fall.

(8) ELIGIBLE PROGRAM. A nonsectarian, secular educational program that is aligned with Alabama's high demand workforce needs adopted by the Alabama Committee on Credentialing and Career Pathways.

(9) ELIGIBLE STUDENT. An individual who completed the Free Application for Federal Student Aid (FAFSA), who is in pursuit of his or her first associate or baccalaureate degree, who satisfies the criteria set out in this chapter, and who is found to be eligible by rules adopted by the commission.



## HB382 INTRODUCED

393           (10) GRANT. A financial award by the State of Alabama  
394 to defray the cost of tuition and mandatory fees to an  
395 eligible adult learner who is currently enrolled in an  
396 authorized institution.

397           (11) PROGRAM. The ReEngage Alabama Grant Program  
398 created by this chapter.

399           (12) YEAR. An academic year that shall be divided into  
400 Fall, Winter, Spring, and Summer terms. The term does not mean  
401 calendar or fiscal year.

402           Section 3. This act shall become effective on October  
403 1, 2026.