

HB382 INTRODUCED



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



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4 SYNOPSIS:

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

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

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

22 This bill would also make conforming changes.

23

24 A BILL

25 TO BE ENTITLED

26 AN ACT

27

28 Relating to public institutions of higher education; to

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29 further provide for the accrediting of public institutions of
30 higher education; to prohibit accrediting agencies from taking
31 certain actions related to state law, unless the state law is
32 preempted by federal law; to create a civil action against
33 accrediting agencies that violate this act; to require
34 violations to be reported to the Legislature; and to amend
35 Sections 16-5-52, 16-5-54.1, 16-5-100, as created by Act
36 2025-337 of the 2025 Regular Session, 16-33A-1, and 16-33D-3,
37 Code of Alabama 1975, to make conforming changes.

38 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

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

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

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

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



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

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

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

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

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

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



85 follows:

86 "§16-5-52

87 For the purposes of this article, the following terms

88 ~~shall~~ have the following meanings:

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

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

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

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



113 accreditation occurs at any time.

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

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

119 d. Maintains its primary headquarters in Alabama.

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

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

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

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



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

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

146 "§16-5-54.1

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

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

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



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

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

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

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

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

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

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

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



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

200 "§16-5-100

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

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

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

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

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

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

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



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



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

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

259 "§16-33A-1

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

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

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

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



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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

348 "§16-33D-3

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

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

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

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

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



365 higher education that satisfies all of the following:

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

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

372 c. Maintains its primary headquarters in Alabama.

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

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

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

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

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



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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.