

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

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Legislative Document

No. 1368

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S. P. 533

In Senate, March 8, 1967

Referred to Committee on Education. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator MacLeod of Penobscot.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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**AN ACT to Revise the Laws Relating to Authority for Granting Degrees and to Approval of Degree-Granting Institutions.**

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Be it enacted by the People of the State of Maine, as follows:

**R. S., T. 20, § § 2202 and 2203, repealed and replaced.** Sections 2202 and 2203 of Title 20 of the Revised Statutes are repealed and the following enacted in place thereof:

§ 2202. Authority to confer academic degrees; approval of degree-granting institutions

1. Application. No person, partnership, institution or corporation shall confer academic, educational, literary or professional degrees unless expressly authorized by an Act of the Legislature, except as provided in subsection 2. No application for authority to confer any such degree shall be presented to the Legislature or any committee thereof until the same has been considered by the State Board of Education and endorsed with the recommendation of said board. The State Board of Education shall not endorse its recommendation of such application until the applicant has secured a license from said board to conduct such institution and until said board has issued to the applicant a certificate of temporary approval certifying that it has complied with the regulations of said board and meets the requirements established by said board. Said board shall establish regulations concerning the requirements for licensure and temporary approval.

2. Temporary approval. When the Legislature is not in session, the State Board of Education shall have the power to grant to an applicant who has secured from the board a license and a certificate of temporary approval temporary permission to use the term "business college", "junior college", "college"

or "university" in its name until the expiration of the academic year in which the next regular session of the Legislature convenes.

3. Use of name. No person, school, board, association or corporation shall use in any way the term "business college", "junior college", "college" or "university" in connection with an institution, or use any other name, title or descriptive matter tending to designate that it is an institution of higher learning with the power to grant academic, educational, literary or professional degrees, unless the institution is operating under a license or a certificate of temporary approval from the State Board of Education, or has been given the right to grant degrees in accordance with this section. This subsection shall not apply to any institution of learning which used the term "business college", "junior college", "college" or "university" in its name for a period of at least 5 years prior to September 1, 1957.

4. Exception. This section shall not apply to institutions whose authorization by the Legislature to grant degrees became effective prior to October 1, 1965.

5. Penalty. Any person, partnership, institution or corporation offering or conferring degrees without being duly authorized shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

#### § 2203. Records of educational institutions

The trustees or officers of any college or other post-secondary institution of learning, whether incorporated or not, upon going out of existence or ceasing to function as an educational institution, may turn over its records of all grades attained by its students to the department to be preserved as important material of historical and record value.

The commissioner shall, when requested, prepare transcripts of all grade records, which may, at any time, become necessary to the former student for further scholastic work at another institution of learning, for certification for teaching and for other professional positions. Whenever such transcript is made from the original and certified by the commissioner, it shall thereafter be considered and accepted as legal evidence and, for all other purposes, the same as the original itself. The department shall charge a nominal fee for the actual cost of preparing such transcripts.

The commissioner shall further collect all records of post-secondary educational institutions within the State which are now extinct or shall hereafter become extinct, and which have not made suitable provisions for the safety and accessibility of their records, and shall deposit all such records in a place of safety and accessibility for future preservation and use.