

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1641

S. P. 637

In Senate, May 9, 1967

Reported by Senator MacLeod of Penobscot, from Committee on Education.
Printed under Joint Rule No. 18.

JERROLD B. SPEERS, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

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

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 § 2202 and 2203, repealed and replaced. Sections 2202 and 2203 of Title 20 of the Revised Statutes are repealed and the following enacted in place thereof :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

Any educational institution seeking authority to grant any educational, literary or academic degree, or any junior college or similar post-secondary educational institution seeking authority to grant an associate degree, shall make application to the Secretary of State, in a manner prescribed by him, not later than May 1st immediately preceding the legislative session.

Upon notification by the Secretary of State it shall be the duty of the State Board of Education to obtain full information regarding the merit of the institution to confer the degree or grant the association degree. The board shall seek the advice of the Higher Education Council in establishing and using those standards which are commonly accepted in the accreditation of American educational institutions, and shall prepare for the use of the Legislature a report regarding the adequacy of the institution's buildings, instructional facilities and provisions for the safety and well-being of students, the qualifications of the

faculty; the character of the program of studies and of the requirements for the award of degrees; practices in the admission of students; the adequacy of financial resources and the governing policies of the institution. The report, with recommendations of the state board, shall be delivered to the Secretary of State at least 10 days before the opening of the regular legislative session.

2. Use of name. No person, school board, association or corporation shall use in any way the term "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 given the right to grant degrees in accordance with this section.

3. 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 certificate of temporary approval, permission to use the term "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. Said board shall establish regulations concerning the requirements for licensure and temporary approval. In the establishment of such regulations, said board shall seek the advice of the Higher Education Council.

4. Exception. This section shall not apply to institutions authorized by the Legislature to grant degrees.

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

1. Preservation of records. 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 shall turn over its records of attendance and academic achievements by its students to the department to be preserved as important material of historical and record value. It shall be the duty of the commissioner to collect all attendance and academic records of post-secondary educational institutions within the State which are now extinct or shall hereafter become extinct and to deposit such records in a place of safety and accessibility for preservation and future use.

2. Transcripts. 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.