

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2045

S.P. 838

In Senate, December 11, 2025

An Act to Amend the Education Laws Regarding the State Board of Education's Authority Concerning Degree-granting Institutions

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 9, 2025. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator PIERCE of Cumberland.

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

2 **Sec. 1. 20-A MRSA §10708, sub-§3**, as amended by PL 2005, c. 85, §1, is further
3 amended to read:

4 **3. Noncredit courses.** Offer courses or programs that are not for academic credit; ~~and~~

5 **Sec. 2. 20-A MRSA §10708, sub-§4**, as enacted by PL 2005, c. 85, §2, is amended
6 to read:

7 **4. Religious, nonpublic, educational institution.** Meet the following criteria.

8 A. The educational institution must be substantially owned, operated or supported by
9 a bona fide church or religious organization.

10 B. The educational programs of the educational institution must be primarily designed
11 for, aimed at and attended by persons who seek to learn the particular religious faith or
12 beliefs of the church or religious organization under paragraph A.

13 C. The programs under paragraph B must be intended to prepare students to assume
14 leadership positions in, or enter into some other vocation closely related to, the
15 particular faith of the church or religious organization under paragraph A.

16 The exemption under this subsection does not apply to any educational institution that
17 represents to any student or prospective student that the major purpose of its program is to
18 prepare the student for a vocation not closely related to the particular religious faith of the
19 educational institution or to provide the student with a general educational program
20 substantially equivalent to the educational programs offered by schools or departments or
21 branches of schools that are not exempt from this section. Any educational institution
22 receiving an exemption under this subsection must inform all applicants of its exempt status
23 in writing and must prominently display the following statement on all written materials,
24 including, but not limited to, any electronic materials, made available to potential
25 applicants or to the general public: "Pursuant to the Maine Revised Statutes, Title 20-A,
26 section 10708, subsection 4, this institution is not required to obtain authorization from
27 either the State Board of Education or the Maine State Legislature in order to: (1) use the
28 name "junior college," "college" or "university," (2) offer courses or programs for academic
29 credit or (3) confer degrees."; and

30 **Sec. 3. 20-A MRSA §10708, sub-§5** is enacted to read:

31 **5. Certain branch or extension campuses.** Operate a branch or extension campus
32 within this State that is affiliated with a nonprofit educational institution operating in
33 another state that:

34 A. Has been continuously authorized by the state board to offer degree programs at
35 the graduate level in this State for 5 years or more;

36 B. Has been continuously accredited as a degree-granting educational institution for
37 10 years or more by an accrediting association recognized by the state board;

38 C. Maintains eligibility to participate in financial aid programs under the federal
39 Higher Education Act of 1965, Title IV; and

40 D. Is recognized for its extensive academic research and innovation, doctoral programs
41 and advanced facilities and resources.

1 The exemption under this subsection applies only to a branch or extension campus within
2 this State that meets the requirements of this subsection.

3 **SUMMARY**

4 This bill exempts from the laws governing degree-granting educational institutions
5 educational institutions that operate a branch or extension campus in this State that is
6 affiliated with a nonprofit educational institution operating in another state that meets
7 certain criteria. This exemption applies only to such a branch or extension campus.