

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2098

H.P. 1413

House of Representatives, January 7, 2026

An Act to Update Certain Higher Education Statutes

Submitted by the Department of Education pursuant to Joint Rule 203.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SARGENT of York.

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

2 **Sec. 1. 20-A MRSA c. 321**, as amended, is repealed.

3 **Sec. 2. 20-A MRSA §10017, first ¶**, as enacted by PL 2023, c. 643, Pt. BB, §1, is
4 amended to read:

5 The Higher Education Administrative Fund, referred to in this section as "the fund," is
6 established within the department as a nonlapsing fund to receive participation fees and
7 application fees from institutions of higher education for applications under section 10707
8 and for applications for membership or membership renewal in the interstate reciprocity
9 agreement authorized under section 405, subsection 3, paragraph W. Funds deposited in
10 the fund must be used to support the department's facilitation of the interstate reciprocity
11 agreement and for other department costs associated with the administration of higher
12 education in the State.

13 **Sec. 3. 20-A MRSA §10703, sub-§3** is enacted to read:

14 **3. Basis for degree-granting authority.** Temporary approval granted pursuant to this
15 section may not be used as a basis for a recommendation by the state board for permanent
16 degree-granting authority under section 10707.

17 **Sec. 4. 20-A MRSA §10707**, as amended by PL 2007, c. 572, Pt. A, §13, is further
18 amended to read:

19 **§10707. Applications**

20 **1. Degree-granting authority.** Applications for authority to grant degrees ~~shall~~ must
21 be made on application to the state board ~~on forms~~ through a process provided by the
22 commissioner. An educational institution shall pay a fee for the initial application that
23 reflects the costs to the department for processing the application, as determined by the
24 commissioner.

25 A. The state board may recommend an educational institution to the Legislature for
26 degree-granting authority without additional review if:

27 (1) The state board has approved or renewed approval for the educational
28 institution to offer academic programs in the State within 5 years of the institution's
29 application for degree-granting authority; and

30 (2) The educational institution has applied for degree-granting authority only for
31 degrees for which the institution offers academic programs approved by the state
32 board.

33 B. Upon recommending an educational institution to the Legislature for degree-
34 granting authority under section 10704, the state board shall provide any reports
35 resulting from completed state board reviews of the applicant educational institution to
36 the joint standing committee of the Legislature having jurisdiction over education
37 matters.

38 **2. Temporary use of name.** Applications for temporary state board authority to use
39 the name "community college," "college" or "university" must be made to the state board
40 ~~on forms~~ through a process provided by the commissioner. An educational institution shall
41 pay a fee for the initial application that reflects the costs to the department for processing
42 the application, as determined by the commissioner.

3. Courses for academic credit. Applications by out-of-state educational institutions to offer courses for academic credit shall must be made to the state board on forms through a process provided by the commissioner. Such an educational institution shall pay a fee for the initial application that reflects the costs to the department for processing the application, as determined by the commissioner.

4. Coordinated programs. Applications to offer coordinated programs shall must be made to the state board ~~on forms~~ through a process provided by the commissioner. An educational institution shall pay a fee for the initial application that reflects the costs to the department for processing the application, as determined by the commissioner.

5. Exempt status. Applications for exempt status under section 10708, subsection 2, shall ~~must~~ be made to the commissioner. An educational institution shall pay a fee for the initial application that reflects the costs to the department for processing the application, as determined by the commissioner.

SUMMARY

This bill repeals certain statutes related to correspondence schools and updates application requirements for degree-granting educational institutions. The bill requires a degree-granting educational institution to pay an application fee for the initial application that reflects the costs to the Department of Education for processing the application, as determined by the Commissioner of Education, and clarifies that temporary approval to use the name "community college," "college" or "university" may not be used as a basis for a recommendation by the State Board of Education for permanent degree-granting authority. The bill also allows the state board to recommend an educational institution to the Legislature for degree-granting authority without additional review if the state board has approved or renewed approval for the institution to offer academic programs in the State within 5 years of the institution's application for degree-granting authority and the institution has applied for degree-granting authority only for degrees for which the institution offers academic programs approved by the state board. The bill requires the state board to provide any reports resulting from completed state board reviews of the applicant educational institution to the joint standing committee of the Legislature having jurisdiction over education matters upon recommending the institution for degree-granting authority.