

**05-071 DEPARTMENT OF EDUCATION**

**Chapter 149: PROCEDURES FOR OBTAINING AUTHORIZATION FOR INSTITUTIONS OF HIGHER EDUCATION TO CONFER ACADEMIC DEGREES OR TO OFFER DEGREE COURSES/PROGRAMS IN THE STATE OF MAINE**

---

**SUMMARY:** Rule 05-071, CMR 149 identifies the procedures to be followed by a postsecondary institution which seeks to offer within the boundaries of the State of Maine any course or program for which academic credit is granted or to confer within the boundaries of the State of Maine a degree at the Associate level or higher.

---

**1. Definitions**

For purposes of this Chapter the following definitions are utilized:

**A. Commissioner**

Commissioner of the Department of Education

**B. Academic Credit**

The granting of credit hours, or some equivalent measure which may be applicable toward a degree at the Associate level or higher

**C. Coordinated Courses/Programs**

Those which are coordinated with a Maine, degree granting, educational institution and which are approved by the State Board of Education.

**D. Exempt Institution**

Any institution of higher education whose course or program offerings would not be granted academic credit and any institution of higher education whose course or program offerings would be conducted on a Federal reservation over which the United States Government has exclusive jurisdiction. All institutions of higher education seeking to be considered for exempt status will be reviewed on a case-by-case basis.

**E. Institution of Higher Education**

A postsecondary educational institution which offers within the boundaries of the State of Maine any course or program that would be granted academic credit toward a degree or which offers within the boundaries of the State of Maine a degree at the Associate level or higher.

**F. Initial Degree Authorization**

Permission granted by the Maine Legislature to an institution of higher education which has no previous degree authorization to confer academic, educational, literary or professional degrees upon recommendation of the State Board of Education.

**G. Additional Degree Approval**

Permission granted by the State Board of Education to an institution of higher education previously authorized by the Maine Legislature to confer a certain degree, to confer an additional academic, educational, literary or professional degree.

**H. Maine Institution of Higher Education**

An institution of higher education which has its main headquarters located within the boundaries of the State of Maine.

**I. Physical Presence**

Designation applied to any institution offering degrees and academic credits from within Maine to recipients anywhere, and it applies to any person assisting with such an institution. It further applies to any institution offering degrees and academic credits from outside of Maine if there is any person assisting the institution in any way from within Maine. This includes a) maintaining an office or mailing address in the State or b) conducting any part of the instructional program or support activities from within the State. Specifically, this includes: advertising, solicitation of potential students, enrollment of students, providing student services, student mentoring, and instruction of students.

**J. Temporary Approval**

Permission granted by the State Board of Education to an institution of higher education to use the term "college" or "university" in its name until such time as the institution has been granted initial authority by the Legislature to confer certain degrees or the expiration of the academic year.

**K. Telecommunication Instruction**

Any course or series of courses offered or sponsored by a postsecondary education institution which have as the primary mode of delivery, television, video cassette or disc, film, radio, online computer or other supportive devices which build upon an audiovisual format.

**2. Procedures for Obtaining Authorization and Approval****A. Initial Degree Authorization – From Within the State of Maine**

- (1) **Application.** Officials of the applicant institution of higher education shall notify the Commissioner, in writing, of their intent to obtain legislative authorization to confer a degree at the Associate level or higher. An application must be received at least six (6) months prior to the start of a legislative session.
- (2) **Notification to Presidents.** The Commissioner will notify the Presidents of all Maine institutions of higher education indicating receipt of the initial request
- (3) **Provide Materials.** The Commissioner will provide to the officials of the applicant institution of higher education such materials as are necessary to the conduct and finalizing of the authorization process. Such materials shall include a copy of the procedures to be followed and standards to be met and other items as are pertinent.
- (4) **Preparing Report; Content.** Officials of the applicant institution of higher education shall prepare a report and forward it to the Commissioner. The report must provide in-depth information about the institution by giving attention to the following topics:
  - A. **Organization and Governance**
    1. The institution has a current written document detailing administrative responsibilities of the governing board, administrators, the faculty, the staff, and the students (if staff and students participate in institutional governance).
    2. The institution has an organizational chart that clearly shows lines of authority and the relationship among component units and personnel.
  - B. **Institutional Objectives**
    1. The institution has defined its educational mission and general purposes or goals, and has included within its “statement of purpose” such uniqueness of programming and educational philosophy as may be inherent in the proposed degree offerings.
    2. The institution's “statement of purpose” is readily identifiable through its course and program offerings.
  - C. **Degree Requirements**
    1. The institution awards degrees, only upon successful completion of the courses or programs of study, and degree requirements to be met are specified in writing.

2. The institution's semester hour\* requirements for degree completion meet the following minimums:

**Associate Degree** - An Associate degree requires a minimum of 60 semester hours or 90 quarter hours. The Associate of Arts degree shall include a minimum of 36 semester hours or 54 quarter hours in general education courses.\*\* The Associate of Science degrees shall include a minimum of 15 semester hours or 23 quarter hours in general education courses.

**Baccalaureate Degree** - A Baccalaureate degree requires a minimum of 120 semester hours or 180\*\*\* quarter hours

**Master's Degree** - A Master's degree shall require a minimum of 30 semester hours or 45 quarter hours beyond the Baccalaureate.

**Doctoral Degree** - A Doctoral degree shall require a minimum of 60 semester hours or 90 quarter hours beyond the Baccalaureate in addition to the dissertation.

Decisions will be made on a case-by-case basis for institutions using a non-traditional approach instead of semester hours or quarter hours to determine degree completion

#### D. Admission Requirements

1. The institution has a written policy defining the minimum requirements for admission and for acceptance at the specific degree level or into the specific degree program proposed by the institution, consistent with criteria established by the appropriate regional or nationally recognized specialized accrediting agency.
2. The admission policies include detailed attention to the standards for academic credit given for experience, and the criteria for transfer credit.
3. The institution has a written policy detailing the criteria and procedure to be followed in providing for a refund of tuition and fees.

#### E. Academic Programs

---

\* With institutions using the semester system there are two 15-week semesters in an academic year. A semester hour is defined as the credit received for completing 15 contact hours of study in class and 30 clock hours in outside preparation. One semester hour is the equivalent of 1.5 quarter hours.

\*\* See Appendix A for list of general education courses.

\*\*\* With institutions using the quarter system there are three 10-week quarters in an academic year. A quarter hour is 2/3 of a semester hour (one quarter hour is the equivalent of .667 semester hours).

1. The educational program and curriculum reflects the philosophy, purposes, and objectives of the institution.
2. The institution has a written policy describing its system for evaluating student performance, the minimum performance considered satisfactory, the criteria for academic probation and conditions for dismissal for unsatisfactory performance.
3. Procedures for the evaluation of the quality of programs of instruction and specific courses are clearly stated in writing.
4. The institution's programs of study consist of planned educational experiences to meet the stated objectives and include attention to the necessary prerequisites, required courses, and appropriate progression.

**F. Faculty**

1. The preponderance of faculty members provide instruction and possess academic, scholarly, and teaching qualifications appropriate to their respective positions and teaching assignments and are distributed in such a way that all students benefit from these qualifications.
2. The faculty is involved in developing, implementing, and evaluating the curriculum for all degree programs to assure quality learning experiences are provided for all students.
3. The faculty participates in the governance of the institution and the academic programs as well as in short-term institutional planning activities.

**G. Student Services**

1. Students are provided with, and have access to, a system of educational, career and personal advising services.

**H. Library and Learning Resources**

1. The institution maintains and provides ready access to library and learning resources, virtual and/or physical, that are adequate and appropriate for student achievement of stated program goals and objectives.

[Other areas to be addressed, should be added by institution officials in an effort to give as clear a picture as possible of the institution's library and learning resources – (°see Appendix B)].

**I. Facilities**

1. The institution provides and maintains an appropriate learning environment with the necessary supports and technologies sufficient for student achievement of educational objectives. In doing so, industry standards for health, safety, and maintenance are followed

**J. Financial Resources**

1. The application for establishment of a new degree-granting program documents a complete and realistic plan for implementing and financing the proposed academic program during the first five-year cycle of operation. The **Five-Year Financial Plan**<sup>o</sup> is based on reasonably projected enrollment levels; the nature and extent of instructional services required; the availability of existing resources to support the program; additional resource requirements; and projected/committed sources of funding (<sup>o</sup>see Appendix C for details to be addressed in the five-Year Financial Plan).
  2. The application from an existing degree-granting institution clearly documents that it has the financial resources necessary to support its purposes, implement its program and maintain its continuity for a minimum of five years by providing its most recent audited financial statement, and that evidence exists of long range financial planning and viability.
- (5) **Form Review Committee.** After information requested in #4 is received, the Commissioner will form a Review Committee authorized to review and evaluate the submitted material and to conduct on-site visits when applicable. The membership of the Committee will be determined by the Commissioner after consultation with officials of the applicant institution subject to the final approval of the State Board of Education. The committee will consist of at least five (5) individuals who will be representative of Maine's institutions of higher education. Other members may be added by the State Board of Education. One of the members will be a member of the Maine Higher Education Council who will serve as Chair of the Committee. Expenses incurred by the Committee will be the responsibility of the applicant institution of higher education.
- (6) **Review Committee Prepares Report.** The Review Committee will prepare a report detailing the facts based upon a review of the submitted materials, the application of standards for evaluating requests as adopted by the State Board of Education, and information obtained from the on-site visit, if one was conducted, and include a recommendation as to whether the request for degree granting authority should be authorized. Prior to completion of the final report, the Review Committee will prepare an initial draft copy, without recommendation, and submit

this to officials of the applicant institution for their review of the accuracy of the facts presented.

- (7) **Review Committee Forward Report.** The final report and recommendation shall be forwarded to the Commissioner within four weeks following the Committee's visit or by the last Friday in November. A copy of the report, and recommendation, shall also be forwarded to the President of the applicant institution. At this time, officials of the applicant institution will be notified concerning their responsibility to obtain a bill sponsor and to take the necessary steps to get a bill drafted and filed in preparation for legislative action.
- (8) **Commissioner Transmits Report.** The Commissioner will transmit the report of the Review Committee to the State Board of Education. The Board will receive the report and recommendation at its December meeting with final action to be taken at the next regular meeting at which time the Commissioner will make a recommendation for action.

If the officials of the applicant institution wish to make any comments, reaction, or rebuttal relative to the contents of the final report of the Review Committee, this shall be in writing to the Board and shall be available for receipt by the Board not later than at its December meeting. Concurrently, this material shall be made available to the Chair of the Review Committee and if the Committee wishes to respond to its content, this shall be done in writing and submitted to the State Board of Education at least ten days prior to the date of its meeting at which time final action is scheduled.

- (9) **State Board Action.** The State Board of Education will make a recommendation on the request and transmit this to the Joint Legislative Committee on Education, and officials of the applicant institution will be notified of this action.

#### B. **Additional Degree Approval**

- (1) **Application.** Officials of the applicant institution of higher education shall notify the Commissioner in writing of their intent to obtain additional degree approval at the Associate level or higher from the State Board of Education.
- (2) **Notification to Presidents.** The Commissioner will notify the Presidents of all Maine institutions of higher education indicating receipt of the initial request.
- (3) **Provide Materials.** The Commissioner will provide to the officials of the applicant institution such materials as are necessary to the conduct and finalizing of the approval process. Such materials shall include a copy of the procedures to be followed and standards to be met and other items as are pertinent.
- (4) **Preparing Report; Content.** Officials of the applicant institution shall prepare a report and forward it to the Commissioner. The report must provide in depth information about the institution by giving attention to the following topics:

A. **Organization and Governance**

1. The institution has a current written document detailing administrative responsibilities of the governing board, administrators, the faculty, the staff, and the students (if staff and students participate in institutional governance).
2. The institution has an organizational chart that clearly shows lines of authority and the relationship among component units and personnel.

B. **Institutional Objectives**

1. The institution has defined its educational mission and general purposes or goals, and has included within its “statement of purpose” such uniqueness of programming and educational philosophy as may be inherent in the proposed degree offerings.
2. The institution's “statement of purpose” is readily identifiable through its course and program offerings.

C. **Degree Requirements**

1. The institution awards degrees, only upon successful completion of the courses or programs of study, and degree requirements to be met are specified in writing.
2. The institution's semester hour\* requirements for degree completion meet the following minimums:

**Associate Degree** - An Associate degree requires a minimum of 60 semester hours or 90 quarter hours. The Associate of Arts degree shall include a minimum of 36 semester hours or 54 quarter hours in general education courses.\*\* The Associate of Science degrees shall include a minimum of 15 semester hours or 23 quarter hours in general education courses.

**Baccalaureate Degree** - A Baccalaureate degree requires a minimum of 120 semester hours or 180\*\*\* quarter hours

---

\* With institutions using the semester system there are two 15-week semesters in an academic year. A semester hour is defined as the credit received for completing 15 contact hours of study in class and 30 clock hours in outside preparation. One semester hour is the equivalent of 1.5 quarter hours.

\*\* See Appendix A for list of general education courses.

\*\*\* With institutions using the quarter system there are three 10-week quarters in an academic year. A quarter hour is 2/3 of a semester hour (one quarter hour is the equivalent of .667 semester hours).



**Master's Degree** - A Master's degree shall require a minimum of 30 semester hours or 45 quarter hours beyond the Baccalaureate.

**Doctoral Degree** - A Doctoral degree shall require a minimum of 60 semester hours or 90 quarter hours beyond the Baccalaureate in addition to the dissertation.

Decisions will be made on a case-by-case basis for institutions using a non-traditional approach instead of semester hours or quarter hours to determine degree completion

**D. Admission Requirements**

1. The institution has a written policy defining the minimum requirements for admission and for acceptance at the specific degree level or into the specific degree program proposed by the institution, consistent with criteria established by the appropriate regional or nationally recognized specialized accrediting agency.
2. The admission policies include detailed attention to the standards for academic credit given for experience, and the criteria for transfer credit.
3. The institution has a written policy detailing the criteria and procedure to be followed in providing for a refund of tuition and fees.

**E. Academic Programs**

1. The educational program and curriculum reflects the philosophy, purposes, and objectives of the institution.
2. The institution has a written policy describing its system for evaluating student performance, the minimum performance considered satisfactory, the criteria for academic probation and conditions for dismissal for unsatisfactory performance.
3. Procedures for the evaluation of the quality of programs of instruction and specific courses are clearly stated in writing.
4. The institution's programs of study consist of planned educational experiences to meet the stated objectives and include attention to the necessary prerequisites, required courses, and appropriate progression.

**F. Faculty**

1. The preponderance of faculty members provide instruction and possess academic, scholarly, and teaching qualifications

appropriate to their respective positions and teaching assignments and are distributed in such a way that all students benefit from these qualifications.

2. The faculty is involved in developing, implementing, and evaluating the curriculum for all degree programs to assure quality learning experiences are provided for all students.
3. The faculty participates in the governance of the institution and the academic programs as well as in short-term institutional planning activities.

#### G. **Student Services**

1. Students are provided with, and have access to, a system of educational, career and personal advising services.

#### H. **Library and Learning Resources**

1. The institution maintains and provides ready access to library and learning resources, virtual and/or physical, that are adequate and appropriate for student achievement of stated program goals and objectives.

[Other areas to be addressed, should be added by institution officials in an effort to give as clear a picture as possible of the institution's library and learning resources – (°see Appendix B)].

#### I. **Facilities**

1. The institution provides and maintains an appropriate learning environment with the necessary supports and technologies sufficient for student achievement of educational objectives. In doing so, industry standards for health, safety, and maintenance are followed.

#### J. **Financial Resources**

1. The application for establishment of a new degree-granting program documents a complete and realistic plan for implementing and financing the proposed academic program during the first five-year cycle of operation. The **Five-Year Financial Plan**<sup>°</sup> is based on reasonably projected enrollment levels; the nature and extent of instructional services required; the availability of existing resources to support the program; additional resource requirements; and projected/committed sources of funding (°see Appendix C for details to be addressed in the five-Year Financial Plan).

2. The application from an existing degree-granting institution clearly documents that it has the financial resources necessary to support its purposes, implement its program and maintain its continuity for a minimum of five years by providing its most recent audited financial statement, and that evidence exists of long range financial planning and viability.
- (5) **Form Review Committee.** After information requested in #4 is received, the Commissioner will form a Review Committee authorized to review and evaluate the submitted material and to conduct on-site visits when applicable. The membership of the Committee will be determined by the Commissioner after consultation with officials of the applicant institution subject to the final approval of the State Board of Education. The committee will consist of at least five (5) individuals who will be representative of Maine's institutions of higher education. Other members may be added by the State Board of Education. One of the members will be a member of the Maine Higher Education Council who will serve as Chair of the Committee. Expenses incurred by the Committee will be the responsibility of the applicant institution.
- (6) **Review Committee Prepares Report.** The Review Committee will prepare a report detailing the facts based upon a review of the submitted materials, the application of standards for evaluating request as adopted by the State Board of Education, and information obtained from the on-site visit if one was conducted, and include a recommendation as to whether the request for additional degree approval should be granted. Prior to completion of the final report, the Review Committee will prepare an initial draft copy, without recommendation, and submit this to officials of the applicant institution for their review of the accuracy of the facts presented.
- (7) **Review Committee Forwards Report.** The final report and recommendation shall be forwarded to the Commissioner within four weeks following the Committee's visit. A copy of the report and recommendation, shall also be forwarded to the President of the applicant institution.
- (8) **Commissioner Transmits Report.** The Commissioner will transmit the report of the Review Committee to the State Board of Education. The Board will receive the report and recommendation at one of its regular meetings with final action to grant or deny approval to confer an additional degree or degrees to be taken at its next regular meeting at which time the Commissioner will make a recommendation for action.

If the officials of the applicant institution wish to make any comments, reaction, or rebuttal relative to the contents of the final report of the Review Committee, this shall be made in writing to the Board and such shall be available for receipt by the Board not later than three weeks prior to the date that final action is scheduled. Concurrently, this material shall be made available to the Chair of the Review Committee and if the Committee wishes to respond to its content, this shall be

done in writing and submitted to the Board at least ten days prior to the date of its meeting at which time final action is scheduled.

- (9) **Notification to Officials.** Officials of the applicant institution will be notified in writing of the action of the State Board of Education.

C. **Course/Program Offerings by Out-of-State Institutions**

- (1) **Applications.** Officials of the applicant institution of higher education shall notify the Commissioner, in writing, of their intent to obtain State Board approval to offer an academic credit course or program in Maine.
- (2) **Notification to Presidents.** The Commissioner will notify the President of all Maine institutions of higher education indicating receipt of the initial request.
- (3) **Provide Materials.** The Commissioner will provide to the officials of the applicant institution such materials as are necessary to the conduct and finalizing of the approval process. Such materials shall include a copy of the procedures to be followed and standards to be met and other items as are pertinent.
- (4) **Preparing Report; Content.** Officials of the applicant institution shall prepare a report and forward it to the Commissioner. The report must provide in depth information about the institution by giving attention to the following topics:

A. **Organization and Governance**

1. The institution has a current written document detailing administrative responsibilities of the governing board, administrators, the faculty, the staff, and the students (if staff and students participate in institutional governance).
2. The institution has an organizational chart that clearly shows lines of authority and the relationship among component units and personnel.

B. **Institutional Objectives**

1. The institution has defined its educational mission and general purposes or goals, and has included within its “statement of purpose” such uniqueness of programming and educational philosophy as may be inherent in the proposed degree offerings.
2. The institution's “statement of purpose” is readily identifiable through its course and program offerings.

C. **Degree Requirements**

1. The institution awards degrees, only upon successful completion of the courses or programs of study, and degree requirements to be met are specified in writing.
2. The institution's semester hour\* requirements for degree completion meet the following minimums:

**Associate Degree** - An Associate degree requires a minimum of 60 semester hours or 90 quarter hours. The Associate of Arts degree shall include a minimum of 36 semester hours or 54 quarter hours in general education courses.\*\* The Associate of Science degrees shall include a minimum of 15 semester hours or 23 quarter hours in general education courses.

**Baccalaureate Degree** - A Baccalaureate degree requires a minimum of 120 semester hours or 180\*\*\* quarter hours

**Master's Degree** - A Master's degree shall require a minimum of 30 semester hours or ~~43~~ 45 quarter hours beyond the Baccalaureate.

**Doctoral Degree** - A Doctoral degree shall require a minimum of 60 semester hours or 90 quarter hours beyond the Baccalaureate in addition to the dissertation.

Decisions will be made on a case-by-case basis for institutions using a non-traditional approach instead of semester hours or quarter hours to determine degree completion

#### D. **Admission Requirements**

1. The institution has a written policy defining the minimum requirements for admission and for acceptance at the specific degree level or into the specific degree program proposed by the institution, consistent with criteria established by the appropriate regional or nationally recognized specialized accrediting agency.
2. The admission policies include detailed attention to the standards for academic credit given for experience, and the criteria for transfer credit.

---

\* With institutions using the semester system there are two 15-week semesters in an academic year. A semester hour is defined as the credit received for completing 15 contact hours of study in class and 30 clock hours in outside preparation. One semester hour is the equivalent of 1.5 quarter hours.

3. The institution has a written policy detailing the criteria and procedure to be followed in providing for a refund of tuition and fees.

**E. Academic Programs**

1. The educational program and curriculum reflects the philosophy, purposes, and objectives of the institution.
2. The institution has a written policy describing its system for evaluating student performance, the minimum performance considered satisfactory, the criteria for academic probation and conditions for dismissal for unsatisfactory performance.
3. Procedures for the evaluation of the quality of programs of instruction and specific courses are clearly stated in writing.
4. The institution's programs of study consist of planned educational experiences to meet the stated objectives and include attention to the necessary prerequisites, required courses, and appropriate progression.

**F. Faculty**

1. The preponderance of faculty members provide instruction and possess academic, scholarly, and teaching qualifications appropriate to their respective positions and teaching assignments and are distributed in such a way that all students benefit from these qualifications.
2. The faculty is involved in developing, implementing, and evaluating the curriculum for all degree programs to assure quality learning experiences are provided for all students.
3. The faculty participates in the governance of the institution and the academic programs as well as in short-term institutional planning activities.

**G. Student Services**

1. Students are provided with, and have access to, a system of educational, career and personal advising services.

**H. Library and Learning Resources**

1. The institution maintains and provides ready access to library and learning resources, virtual and/or physical, that are adequate and appropriate for student achievement of stated program goals and objectives.

[Other areas to be addressed, should be added by institution officials in an effort to give as clear a picture as possible of the institution's library and learning resources – (°see Appendix B)].

**I. Facilities**

1. The institution provides and maintains an appropriate learning environment with the necessary supports and technologies sufficient for student achievement of educational objectives. In doing so, industry standards for health, safety, and maintenance are followed

**J. Financial Resources**

1. The application for establishment of a new degree-granting program documents a complete and realistic plan for implementing and financing the proposed academic program during the first five-year cycle of operation. The **Five-Year Financial Plan** is based on reasonably projected enrollment levels; the nature and extent of instructional services required; the availability of existing resources to support the program; additional resource requirements; and projected/committed sources of funding (°see Appendix C for details to be addressed in the Five-Year Financial Plan).
2. The application from an existing degree-granting institution clearly documents that it has the financial resources necessary to support its purposes, implement its program and maintain its continuity for a minimum of five years by providing its most recent audited financial statement, and that evidence exists of long range financial planning and viability.

- (5) **Form Review Committee.** After information requested in #4 is received, the Commissioner will form a Review Committee authorized to review and evaluate the submitted material. This committee will conduct any on-site visit as is appropriate at Maine locations where the course/program will be offered or meet in Maine with institution officials to discuss the details of the proposed offerings. A meeting with officials of the applicant in is required as part of the approval process. The membership of the Committee will be determined by the Commissioner and will consist of at least three individuals representative of Maine's institutions of higher education.
- (6) **Review Committee Report and Recommendation.** The Review Committee will prepare a report based upon a review of the submitted materials, the application of standards for evaluating requests as adopted by the State Board of Education, information obtained from the on-site visit, if one was made, and the meeting with institution officials. The Committee's report will also include a recommendation as

to whether approval should be granted or denied. The Review Committee will forward this to the Commissioner and State Board of Education.

- (7) **Final Action by State Board of Education.** Upon receipt of the Review Committee's report and recommendation, and upon recommendation by the Commissioner, the Board will either grant or deny the approval request. If approval is granted it shall be valid for a four year period unless a special situation requires a shorter period.
- (8) **Program Changes.** Any future changes that the applicant institution desires to make in the courses or programs previously approved by the Board shall be submitted to the Commissioner at least three months in advance of the planned implementation date. The need for the implications of these changes shall be explained. Materials as submitted will be reviewed by the Review Committee with written comments made to the Commissioner who shall prepare a report and recommendation for the Board. The Board shall either grant or deny the request for changes.
- (9) **Renewal.** A request previously approved by the Board may be renewed. This renewal shall be for a specified time period which will be dependent upon the nature of the course or program offerings. Officials of the applicant institution shall notify the Commissioner of their desire to renew the approval and indicate any significant changes that would be made in the previously approved offerings. The Commissioner will notify the President of all Maine postsecondary institutions indicating receipt of the renewal request. The submitted materials will be reviewed by a Review Committee which will make written comments to the Commissioner. This Review Committee shall consist of all or at least three (3) members of the committee that evaluated the initial request. If there are less than three (3) members of the original group still available a new committee shall be constituted. The Commissioner shall, concurrently, cause an evaluation to be done of the previously approved offerings.

Following review of the comments received and the completed evaluation, the Commissioner will prepare a report and recommendation for the Board.

Following review of the report and upon recommendation from the Commissioner, the Board will either grant or deny the renewal request.

#### D. **Coordinated Courses or Programs**

- (1) **Application.** Officials of the applicant institution of higher education shall notify the Commissioner, in writing, of their intent to obtain State approval for a coordinated program and include the name of the degree granting Maine institution of higher education with which the program will be coordinated as well as information detailing the results of contacts between the applicant institution and the coordinating Maine institution.



- (2) **Notification to Presidents.** The Commissioner will notify the Presidents of all Maine institutions of higher education indicating receipt of the applicant's request.
- (3) **Provide materials.** The Commissioner will provide to the officials of the applicant institution such materials as are necessary for the conduct and finalizing of the approval process. Such materials shall include a copy of the procedures to be followed and standards to be met and other items as are pertinent.
- (4) **Information Submitted to Commissioner.** At least three months prior to the planned date of the commencement of the proposed coordinated program, all necessary information will be submitted to the Commissioner. This information should include, but not be limited to, the following:
  - A. Responsibilities of the degree granting Maine institution of higher education
  - B. Responsibilities of the applicant institution
  - C. Details of the coordinated arrangement
  - D. Content of the program
  - E. Program goals/objectives
  - F. Administrative responsibility
  - G. Indication of support from the president of the degree-granting Maine institution of higher education.
- (5) **Commissioner's Report and Recommendation.** The Commissioner shall review the information as submitted under paragraph (4) and transmit a report and recommendation to the State Board of Education.
- (6) **State Board Action.** Following review of the report and upon recommendation of the Commissioner, the State Board of Education will make the final decision on the applicant's request. Approval will only be in effect so as long as the coordinated program operates on a continuous basis.
- (7) **Program Changes.** Any future changes contemplated in the program which would significantly alter the conduct of the coordinated activity as previously approved, must be submitted to the Commissioner at least three months in advance of the planned implementation date in the same manner as set forth in paragraph (4). The Commissioner will review changes and transmit a report and recommendation to the State Board of Education which shall make a final decision on the request.

E. **Telecommunications Instruction**

- (1) **Physical presence.** Any higher education institution located outside the State of Maine and seeking to provide from an out-of-state source telecommunication instruction in Maine which involves physical presence in this state by the out-of-state institution must obtain approval from the State Board of Education. Physical presence shall be evident when support services for telecommunications offerings include institutional representatives serving as tutors, counselors, instructors or monitors at the Maine receiving site.
- (2) **Application.** Officials of the out-of-state higher education institution shall notify the Commissioner in writing of their intent to seek approval to make academic credit telecommunication offerings in Maine under provisions specified in (1) above.
- (3) **Notification to Presidents.** The Commissioner will notify the Presidents of all Maine institutions of higher education indicating receipt of the initial request.
- (4) **Provide Materials.** The Commissioner will provide to the officials of the applicant institution an application and other materials necessary to the finalizing of the approval process.
- (5) **Form Review Committee.** After the completed application is received, the Commissioner will form a Review Committee authorized to review and evaluate the submitted material. The membership of the committee will be determined by the Commissioner and will consist of at least five (5) individuals who will include but not be limited to personnel from Maine's institutions of higher education and individuals knowledgeable about telecommunication instruction from public and private institutions and agencies. The committee will meet in Maine with officials of the applicant institution to obtain further details.
- (6) **Review Committee Prepares Report.** The Review Committee will prepare a final report based upon a review of the submitted material and the meeting with institution officials and include a recommendation as to whether the request should be approved.
- (7) **Review Committee Forwards Report.** The final report and recommendation shall be forwarded to the Commissioner who shall in turn forward these to the State Board of Education with a recommendation for action.
- (8) **Final Action by State Board of Education.** Upon receipt of the Review Committee's report and recommendation and upon recommendation by the Commissioner the Board will either grant or deny the request. If approval is granted it shall be valid for a four year period unless a special situation requires a shorter period.

F. **Temporary Approval**

- (1) **Application.** Officials of the applicant institution shall notify the Commissioner, in writing of their intent to obtain temporary approval.

- (2) **Notification to Presidents.** The Commissioner will notify the Presidents of all Maine institutions of higher education indicating receipt of the request.
- (3) **Provide Materials.** The Commissioner will provide material to the officials of the applicant institution, including a copy of the procedures to be followed and standards to be met and other items as may be necessary to conduct and finalize the approval process.
- (4) **Report Content.** Officials of the applicant institution shall prepare a report and forward it to the Commissioner. This report must provide in-depth information about the institution (see Part 2, Sections A, B, or C for guidance as to the necessary details when responding to the following topics):
  - A. Organization and Governance
  - B. Institutional Objectives
  - C. Degree Requirements
  - D. Admission Requirements
  - E. Academic Programs
  - F. Faculty
  - G. Student Services
  - H. Library and Learning Resources
  - I. Facilities
  - J. Financial Resources

[Additional information may have to be submitted when officials seek initial legislative authorization].
- (5) **Commissioner Review and Report.** After information requested in paragraph(4) is received, the Commissioner will review and evaluate the submitted material and prepare a report for submission to the State Board of Education.
- (6) **State Board Action, 2 Year Limit.** Following review of the report and upon recommendation from the Commissioner, the State Board of Education will take final action on the applicant's request. Temporary approval may be granted for a period not in excess of two years, in accordance with the provisions of 20-A MRSA §10703.

G. **Resubmission of Application Previously Denied.**

No application previously denied by the Board under Part 2, C or D, shall be accepted for resubmission unless evidence is provided to the Commissioner that substantive changes or conditions have occurred that would warrant a resubmission. If the Commissioner determines that such changes or conditions are evident, a resubmission, application shall be processed according to established procedures.

---

STATUTORY AUTHORITY: 20-A MRSA, Chapter 409, §§ 10701-10710

EFFECTIVE DATE:

July 6, 1980

AMENDED:

February 25, 1981 - Sec. II, Subsection (5,6,7,8)

October 21, 1981 - Sec. II, Subsection B

December 28, 1984

January 24, 1988

October 3, 1992

EFFECTIVE DATE (ELECTRONIC CONVERSION):

May 19, 1996

NON-SUBSTANTIVE CORRECTIONS:

November 23, 2000 - typos and formatting

AMENDED:

November 23, 2008 – filing 2008-542

**APPENDIX A****General Education Courses**

General education courses are those designed to place emphasis on cognitive development rather than on a vocational objective and may include the following when such are not specifically designed for inclusion in a non-academic program:

English  
history  
philosophy  
literature  
religion  
art  
biology  
economics

music  
sociology  
world languages  
humanities  
mathematics  
chemistry  
psychology  
physics

## APPENDIX B

### Library and Learning Resources

Other areas to be addressed should be added by institution officials in an effort to provide as clear a picture as possible of the institution's library and learning resources, virtual and/or physical. These areas include, but are not limited to, the following topical listing.

1. The institution has written objectives for the library that are in accordance with the institution's purpose, the nature of the educational program and the projected enrollment and insures that the students use the library and its resources as an integral part of their education.
2. The institution's library contains an up-to-date collection of books, periodicals, newspapers, and other instructional materials which are readily accessible to the faculty and the students. Libraries may make instructional materials available through the utilization of network, remote access and other information technologies.
3. The library collection is sufficient in quality, level, diversity, quantity and current to support and enrich the institution's offerings.
4. The library is staffed by professionally qualified individuals.
5. The institution has a program for continuous acquisition of library materials and for appropriate cataloging and maintenance of all library holdings.
6. A sufficient and consistent material and operational budget has been developed consistent with that of other institutions of comparable size and sufficient to meet the library needs of the institution.
7. The library is of sufficient size and design to accommodate the needs of the student body for work space and areas for listening or viewing various media materials to facilitate students study and learning.
8. If an outside library is to provide a major part of the library resources, the institution has developed a plan detailing the extent of dependence on the outside library including the nature and details of any agreements Concerning availability and use by students.
9. All undergraduate programs require the use of internet information resources in addition to course texts and formal instruction.

## APPENDIX C

### Financial Resources

The institution can document that it has the financial resources necessary to support its purposes, implement its program and maintain its continuity for a minimum of five (5) years by providing its most recent audited financial statement and evidence of long range financial planning and viability.

#### 1. For Initial Degree-Granting Authority

- a. List all projected expenses and data which give evidence of the reasonableness of such expenses. Such expenses and supporting evidence should at least include the following:
  - Instructor expense showing the expected instructor/student ratio and instructor compensation. Each item should be supported by appropriate benchmarks or evidence.
  - Administrative and support service expense including evidence of the reasonableness of such items.
  - Any other expected and necessary expense with appropriate evidence of reasonableness.
- b. Identify the expected sources of income to cover anticipated expenses. Sources of income could include:
  - Tuition amounts. Evidence should be included that realistically shows the number of students that are expected to enroll. The amount of tuition should be justified by showing some benchmark comparisons.
  - Amounts provided by fund raising, gifts and grants. There should be evidence of the ability of the institution to raise such funds.
  - Amounts, if any, to be borrowed. Commitments from lenders, including terms of repayment, should be included.
  - Any additional sources of income should be identified and supported by evidence of reasonability.
- c. Using the elements described above, along with any other data, the resulting **Five-Year Plan** must show the ability of the institution to financially support the proposed degree program(s). The intent of the Five-Year Plan is to insure that prospective students enrolling in the proposed degree program are not placed in a position of undue financial risk.

2. **For Renewal of Degree-Granting Authority**

- a. The application from an existing degree-granting institution clearly documents that it has the financial resources necessary to support its purposes, implement its program in Maine and maintain its continuity for a minimum of five years by providing its most recent audited financial statement, and that evidence exists of long range financial planning and viability.