



STATE OF MAINE  
DEPARTMENT OF EDUCATION  
23 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0023

JOHN ELIAS BALDACCI  
GOVERNOR

SUSAN A. GENDRON  
COMMISSIONER

**EXHIBIT: #IV.B.**

**TO:** Members of the State Board of Education

**FROM:** Susan A. Gendron, Commissioner\*

**DATE:** September 10, 2008

**SUBJECT:** Initiation of Rulemaking by The Maine State Board of Education Revised Rules for 05-071, CMR 170 “Standards for Evaluating Requests for Degree Authorization and for Out-of-State Postsecondary Institutions Seeking to Make Academic Credit Course Offerings in Maine” which, along with Rule 05-071, CMR 149, supports 20-A MRSA, 409 “Degree-Granting Institution” §§ 10701-10714.

**BACKGROUND:** This rule establishes the standards to be met when requests are received for degree-granting authorization and for requests from out-of-state postsecondary institutions seeking to make academic credit course offerings in Maine. The purpose of the proposed rule revisions is to clarify and update the standards to be utilized by State Board appointed review teams when evaluating requests for degree authorization, whether from in-state or from out-of-state postsecondary institutions. Chapter 170 became effective October 1, 1986; was amended July 25, 1994; and was converted to electronic format May 19, 1996. Since the rule was last amended it has become apparent that some adjustments and clarifications are necessary.

It is proposed that the Board amend Chapter 170 to enhance the rule’s clarity by transferring and aligning language meant to serve as guidance regarding the format for and the depth of topics to be addressed in an application for degree-granting authority from Rule 05-071, CMR 170 to Rule 05-071, CMR 149 and by retaining and expanding upon language that better clarifies the degree-granting standards to be met. For the Board’s consideration, a copy of the proposed changes to Chapter 170 is being provided – the highlighted areas in yellow contain language to be transferred from Chapter 170 to Chapter 149 and the areas in blue contain new language. As usual, the strikethroughs represent language to be deleted and the underscored represent new language.

**RECOMMENDATION:** That the State Board of Education initiate rulemaking for 05-071, CMR 170 “Standards for Evaluating Requests for Degree Authorization and for Out-of-State Postsecondary Institutions Seeking to Make Academic Credit Course Offerings in Maine” which, along with Rule 05-071, CMR 149, supports 20-A MRSA, 409 “Degree-Granting Institution” §§10701-10714.

\*Prepared by Harry Osgood, Higher Education Specialist