

CHAPTER 411

UNIVERSITY OF MAINE

§10901. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1981, c. 693, §§ 5, 8 (NEW).]

1. Trustees. "Trustees" means the Trustees of the University of Maine System. [PL 1985, c. 779, §46 (AMD).]

2. University. "University" means the University of Maine System. [PL 1985, c. 779, §46 (AMD).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 779, §46 (AMD).

§10901-A. University of Maine System

The University of Maine System is made up of 7 universities. [PL 2005, c. 12, Pt. UUU, §1 (NEW).]

1. Campuses. The universities of the University of Maine System are located and named as follows:

A. Orono - University of Maine; [PL 2005, c. 12, Pt. UUU, §1 (NEW).]

B. Augusta - University of Maine at Augusta; [PL 2005, c. 12, Pt. UUU, §1 (NEW).]

C. Farmington - University of Maine at Farmington; [PL 2005, c. 12, Pt. UUU, §1 (NEW).]

D. Fort Kent - University of Maine at Fort Kent; [PL 2005, c. 12, Pt. UUU, §1 (NEW).]

E. Machias - University of Maine at Machias; [PL 2005, c. 12, Pt. UUU, §1 (NEW).]

F. Presque Isle - University of Maine at Presque Isle; and [PL 2005, c. 12, Pt. UUU, §1 (NEW).]

G. Portland and Gorham - University of Southern Maine. [PL 2005, c. 12, Pt. UUU, §1 (NEW).]
[PL 2005, c. 12, Pt. UUU, §1 (NEW).]

SECTION HISTORY

PL 2005, c. 12, §UUU1 (NEW).

§10902. Public policy on higher education

The following shall be the fundamental policies adhered to in the state's public higher educational planning: [PL 1981, c. 693, §§5, 8 (NEW).]

1. Recognition. To recognize higher education as an organized program of instruction, research and service:

A. Primarily concerned with the field of organized knowledge, related theory and associated practice; [PL 1981, c. 693, §§5, 8 (NEW).]

B. Offered by a collegiate institution, not necessarily of 4 years, authorized to award academic degrees; and [PL 1981, c. 693, §§5, 8 (NEW).]

C. Administered and systematically pursued on a full-time or part-time basis by persons who have completed secondary school or who demonstrate equivalent competence; [PL 1981, c. 693, §§5, 8 (NEW).]

[PL 1981, c. 693, §§5, 8 (NEW).]

2. Principles. To support the principles that each higher educational institution in the State, public and private:

A. Shall have control over its educational program and related activities, within its board of control; [PL 1981, c. 693, §§5, 8 (NEW).]

B. That its faculty shall enjoy the freedom traditionally accorded to the faculty of higher educational institutions in teaching, research and expression of opinions; and [PL 1981, c. 693, §§5, 8 (NEW).]

C. That the faculty shall be consulted in the formulation of academic policies pertaining to it; [PL 1981, c. 693, §§5, 8 (NEW).]

[PL 1981, c. 693, §§5, 8 (NEW).]

3. Cohesive system. To develop, maintain and support a structure of public higher education in the State which will assure the most cohesive system possible for planning, action and service in providing higher educational opportunities, to which the highest priority for fiscal support shall be assigned;

[PL 1981, c. 693, §§5, 8 (NEW).]

4. Programs. To provide in its public higher educational institutions, or through cooperative arrangements with private institutions or institutions outside the State, the programs of study, research or experimentation that its citizens may require;

[PL 1981, c. 693, §§5, 8 (NEW).]

5. Encourage growth. To encourage the growth and development of existing or new private higher educational institutions within the State where studies justify their continuation or establishment; [PL 1981, c. 693, §§5, 8 (NEW).]

6. All citizens eligible. To recognize that all citizens shall be considered eligible for the benefits of appropriate higher education, whether they are high school graduates or the equivalent, or those seeking retraining or training for new careers;

[PL 1981, c. 693, §§5, 8 (NEW).]

7. Public funds. To assign continually a high priority in the allocation of public funds to the development of services, programs and institutions designed to provide opportunities for those who do not now share equitably in the advantages of higher education, because of limiting economic, social, educational and cultural factors;

[PL 1981, c. 693, §§5, 8 (NEW).]

8. Financial support. To support financially the programs of public higher educational institutions through appropriations, grants and loans, based on comprehensive plans and budgets, both short-term and long-term;

[PL 1981, c. 693, §§5, 8 (NEW).]

9. Public accountability. To expect appropriate public accountability for this support;

[PL 1981, c. 693, §§5, 8 (NEW).]

10. Federal funds. To encourage all institutions, public and private, to make maximum use of federal funds available for the support of higher educational programs and activities, the State to provide matching funds, where necessary, initially and on a continuing basis;

[PL 1981, c. 693, §§5, 8 (NEW).]

11. Cooperative undertakings. To expect and request cooperative undertakings among the higher educational institutions, public and private, and between them and the business, industrial and labor interests, to further the development of quality and quantity in educational programs and services and the advancement of the state's economy;

[PL 1981, c. 693, §§5, 8 (NEW).]

12. Evaluation and research. To encourage a continuing program of evaluation and research with respect to higher educational opportunities in the State through financial support and the expectation of annual reporting;

[PL 1981, c. 693, §§5, 8 (NEW).]

13. Master plan. To give a high priority to the provisions of the master plan for higher education through legislative action and appropriate publicity;

[PL 1983, c. 97, §1 (AMD).]

14. Commuter education. To make the most effective use possible of the financial resources allocated to public higher education by maximum emphasis on commuter facilities.

[PL 1981, c. 693, §§5, 8 (NEW).]

15. Transfer of credits. To provide for a uniform system of transferring credits for equivalent courses between the various units of the University of Maine System;

[PL 1985, c. 779, §47 (AMD).]

16. Uniform course numbering. To provide for a uniform system of the numbering of courses for equivalent courses between the various units of the University of Maine System;

[PL 1985, c. 779, §48 (AMD).]

17. Uniform course descriptions. To provide for a uniform system of course descriptions for equivalent courses between the various units of the University of Maine System;

[PL 1991, c. 407, §2 (AMD).]

18. Temporary Assistance for Needy Families recipients. To develop programs with the goal of enabling recipients of Temporary Assistance for Needy Families to achieve educational and skill levels that will assist them to compete for employment; and

[PL 1991, c. 407, §3 (AMD); PL 1997, c. 530, Pt. A, §34 (AMD).]

19. Public school restructuring. To encourage the public and private postsecondary education institutions in the State to cooperate with the commissioner, the state board and school administrative units to provide appropriate and timely professional development programs and other support services to educators in public schools engaged in school restructuring efforts.

[PL 1991, c. 407, §4 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 97, §§1,2 (AMD). PL 1983, c. 806, §§79,80 (AMD). PL 1985, c. 779, §§47,48 (AMD). PL 1987, c. 402, §A121 (AMD). PL 1991, c. 407, §§2-4 (AMD). PL 1997, c. 530, §A34 (AMD).

§10902-A. Report by trustees

The trustees, or their board representative, shall appear annually, in January, before the Joint Standing Committee on Education to report on efforts by the University of Maine System to comply with the state public policy on higher education established by section 10902. That report shall include, but need not be limited to, the following: [PL 1985, c. 779, §49 (AMD).]

1. Planning. Efforts of the trustees to assure a cohesive system of planning for a delivery of higher educational opportunities; and

[PL 1983, c. 799, §2 (NEW).]

2. Accounting. An accounting of the prior year's funding.

[PL 1983, c. 799, §2 (NEW).]

SECTION HISTORY

PL 1983, c. 799, §2 (NEW). PL 1985, c. 779, §49 (AMD).

§10902-B. Report by chancellor

The Chancellor of the University of Maine System shall be invited by the Speaker of the House of Representatives and the President of the Senate annually, in January, to appear before a joint session of the Legislature to address the Legislature on the state of the university system and such other matters as the chancellor desires to bring to the Legislature's attention. [PL 1985, c. 779, §50 (AMD).]

SECTION HISTORY

PL 1983, c. 799, §3 (NEW). PL 1985, c. 779, §50 (AMD).

§10903. State agency

The university shall be an instrumentality and agency of the State for the purpose for which it was established and for which it has been managed and maintained under Private and Special Law 1865, chapter 532, and related supplementary legislation. [PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

§10904. Trust funds

1. Accounting. Endowment, trust and other nonexpendable funds for investment held by the trustees, which have been or may be created and established by private donors for the benefit of the university or for any purpose directly related to the activities of the university, shall be preserved in their several separate identities in the books of account of the university and administered according to the terms of the gifts.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

2. Management of individual funds. For the purpose of investment only, and in order to afford to each fund the advantage of a diversification of risk wider than can be obtained by preserving the investment unity of each fund, and in the absence of any conditions or restrictions to the contrary made by the donor, the trustees may combine, pool and merge these funds with other similar funds. The trustees shall account for profits, losses and income to each individual fund in the proportion which its value bears to the total value of the merged fund as of the date of merger.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

3. Valuation of individual funds. If a new fund is merged into an existing combination of funds, the proportionate shares shall be determined by calculating the assets of the existing combination of funds at the then market value, and calculating the future shares of each individual fund in proportion to its value to the whole of the new combination.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

§10904-A. Maintenance fund

The treasurer of the university shall establish and maintain a fund for maintenance of building space constructed with proceeds of any bond issued pursuant to an Act of the Legislature that requires such an account. The trustees shall acquire sufficient private and other non-General Fund contributions to maintain the space for the expected duration of its use. [PL 1997, c. 718, Pt. A, §10 (AFF); PL 1997, c. 718, Pt. B, §1 (NEW); PL 1997, c. 718, Pt. B, §2 (AFF).]

SECTION HISTORY

PL 1997, c. 718, §§A10,B2 (AFF). PL 1997, c. 718, §B1 (NEW).

§10905. Treasurer; compensation

The trustees shall appoint a full-time treasurer of the university. The treasurer shall give bond for the faithful performance of the duties of the office in an amount and with such conditions and sureties as the trustees may determine. The compensation of the treasurer shall be set by the trustees. [PL 1983, c. 862, §65 (AMD).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 806, §81 (AMD). PL 1983, c. 862, §65 (AMD).

§10906. Powers and duties of treasurer

1. Receipt and custody of moneys, expenditures, authority to contract. The treasurer shall:

- A. Receive and have custody of all moneys received for the university; [PL 1981, c. 693, §§ 5, 8 (NEW).]
- B. Make all expenditures upon vouchers authenticated and approved in a manner designated by the trustees; and [PL 1981, c. 693, §§ 5, 8 (NEW).]
- C. Have no authority to contract debts and obligations or borrow money except:
 - (1) Loans in anticipation of assured revenues when approved by vote of the trustees; and
 - (2) Other loans when directed by vote of the trustees and duly and properly authorized by the Governor.

All such loans shall be effected in accordance with the provisions of chapter 412. [PL 1987, c. 735, §13 (AMD).]

[PL 1987, c. 735, §13 (AMD).]

2. Report of treasurer. The treasurer shall prepare a complete report for the period ending on June 30th of each year and forward a copy of the report to the Governor, the board of trustees and the members of the Legislature.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1987, c. 735, §13 (AMD).

§10907. Transfer of credits; uniform course numbering; uniform course description; committee

1. Formation. The Chancellor of the University of Maine System shall form a committee composed of:

- A. The Dean of Academic Affairs or designee from each campus of the University of Maine System; [PL 1985, c. 779, §51 (AMD).]
- B. One faculty member selected by the faculty from each campus of the University of Maine System; [PL 1985, c. 779, §51 (AMD).]
- C. One student representative selected by the student body of each campus of the University of Maine System; [PL 1985, c. 779, §51 (AMD).]
- D. The Vice-Chancellor of Academic Affairs of the University of Maine System to serve as an ex officio member; and [PL 1985, c. 779, §51 (AMD).]
- E. One member of the joint standing committee of the Legislature having jurisdiction over education to serve as an ex officio member and to be selected by the chairmen of the joint standing committee of the Legislature having jurisdiction over education. [PL 1983, c. 97, §3 (NEW).]

[PL 1985, c. 779, §51 (AMD).]

2. Chairman. The committee shall elect one of its members as chairman.

[PL 1983, c. 97, §3 (NEW).]

3. Meetings. The committee shall be selected as soon as reasonably possible after the effective date of this section. The Vice-Chancellor of Academic Affairs shall notify all members of the time and place of the first meeting. At that time, the committee shall organize and adopt rules as to the administration of its affairs. The members shall serve without compensation, but shall be reimbursed by the chancellor for travel expenses.

[PL 1983, c. 97, §3 (NEW).]

4. Duties. The committee shall establish:

A. A uniform system to facilitate the transfer of credits for equivalent courses between the various units of the University of Maine System; [PL 1985, c. 779, §51 (AMD).]

B. Development of a uniform course numbering system; and [PL 1983, c. 97, §3 (NEW).]

C. Development of uniform course descriptions to provide an easy comparison of courses offered between the various units of the University of Maine System. [PL 1985, c. 779, §51 (AMD).]

[PL 1985, c. 779, §51 (AMD).]

5. Report and implementation. The committee shall report the results of its deliberations and its recommendations to the Board of Trustees of the University of Maine System no later than one year from the effective date of this subsection, as amended. The trustees shall implement the recommendations no later than the beginning of the fall semester of 1985.

[PL 1985, c. 779, §51 (AMD).]

SECTION HISTORY

PL 1983, c. 97, §3 (NEW). PL 1985, c. 779, §51 (AMD).

§10907-A. Transfer of postsecondary credits; award of degree

A person who earns an associate degree from the Maine Community College System must be allowed to transfer credits earned at a community college in this State to the University of Maine System for use toward a baccalaureate degree from the University of Maine System in accordance with agreements developed between the University of Maine System and the Maine Community College System. A student who earns credits at the University of Maine System, but who does not earn a degree, must be allowed to transfer those credits to the Maine Community College System for use toward an associate degree. [PL 2013, c. 368, Pt. EEEEE, §1 (NEW).]

SECTION HISTORY

PL 2013, c. 368, Pt. EEEEE, §1 (NEW).

§10908. Educational opportunities for recipients of Temporary Assistance for Needy Families

In conjunction with the Maine Temporary Assistance for Needy Families Advisory Council established pursuant to Title 22, section 3789-D, the University of Maine System: [PL 1997, c. 530, Pt. A, §5 (AMD).]

1. Placement. Shall promote opportunities for educational placement for recipients of Temporary Assistance for Needy Families who meet applicable admissions requirements; and [PL 1983, c. 806, §82 (NEW); PL 1997, c. 530, Pt. A, §34 (AMD).]

2. Supportive services. Within the limits of available funds for supportive services, shall make available to Temporary Assistance for Needy Families recipients admitted as students opportunities for supportive services which may include, but are not limited to, remedial educational courses, day care services, counseling services and other programs and services consistent with the policy and intent of Title 22, chapter 1054.

[PL 1983, c. 806, §82 (NEW); PL 1997, c. 530, Pt. A, §34 (AMD).]

SECTION HISTORY

PL 1983, c. 806, §82 (NEW). PL 1985, c. 779, §52 (AMD). PL 1993, c. 360, §C2 (AMD). PL 1997, c. 530, §A5 (AMD). PL 1997, c. 530, Pt. A, §34 (AMD).

§10909. University of Maine System Scholarship Fund

The University of Maine System Scholarship Fund is created and established as a nonlapsing fund under the jurisdiction and control of the Board of Trustees of the University of Maine System. All revenues credited to this fund must be distributed as need-based scholarships for students attending the University of Maine System. These scholarships may be awarded only to those students who are residents of the State. The fund may not be used for the costs of administering the scholarships. Fees credited from the University of Maine System registration plate pursuant to Title 29-A, section 456 may not be distributed as scholarships to students attending the University of Maine. [PL 2005, c. 109, §2 (NEW).]

SECTION HISTORY

PL 2005, c. 109, §2 (NEW).

§10910. Report on a statewide online advanced placement course program

By February 15, 2020, and annually thereafter, the university shall submit a report to the joint standing committee of the Legislature having jurisdiction over education matters on the status of a statewide online advanced placement course program. The report must include, but is not limited to, whether the program is meeting its goals, measures of student success, the number of students accessing support through the university, if any, and the number of students participating in the program and their levels of success and how those levels of success compare to national standards. [PL 2019, c. 500, §1 (NEW).]

SECTION HISTORY

PL 2019, c. 500, §1 (NEW).

§10911. Report on Maine teacher residency program

By December 1, 2024, and annually thereafter, the university shall submit a report to the joint standing committee of the Legislature having jurisdiction over education matters on the status of a Maine teacher residency program administered by the university. [PL 2023, c. 469, §1 (NEW).]

SECTION HISTORY

PL 2023, c. 469, §1 (NEW).

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