



# LAWS OF ALASKA

1966

Source:

SB 246

Chapter No.:

44

## AN ACT

Relating to the prohibition of the use of the terms university, college, junior college or community college by educational institutions without the approval of the commissioner of education; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

\* Section 1. LEGISLATIVE FINDINGS. The state has a vital interest in the educational programs being carried on by all schools and institutions, whether public or private, in the state. The future progress of the state depends in a large measure on the availability of citizens educated and trained in many fields. It has come to the attention of the legislature that certain educational institutions in the state may be using, or might in the future use, academic designations which do not accurately describe their curriculum or academic status. The misuse of these designations tends to mislead the general public and is detrimental to educational efforts in the state. If this situation is allowed to remain uncorrected, it will adversely affect the general welfare of the citizens of the state.

\* Sec. 2. AS 14.47 is amended by adding new sections to read:

### ARTICLE 2.

NAMES OF EDUCATIONAL INSTITUTIONS.

Sec. 14.47.100. USE OF NAMES PROHIBITED. No person, persons, school, institution, organization or association offering a course of instruction in any field of study, vocation, or skill shall designate the person, persons, school, institution, organization or association a college, university, junior college or community college without the approval of the commissioner.

Sec. 14.47.110. RULES AND REGULATIONS. The commissioner shall promulgate rules and regulations establishing standards for the use of the designations listed in sec. 100 of this chapter.

Sec. 14.47.120. HEARING AND ORDER ON VIOLATIONS. On complaint of any person or on its own motion the department may conduct an investigation to determine if there has been a violation of sec. 100 of this chapter, or a regulation promulgated under this chapter. If there are grounds for believing that there is a violation, the Department of Education may institute proceedings under AS 44.62.330 - 44.62.630. On a finding of a violation the Department of Education shall order the respondent to cease using the prohibited designation.

Sec. 14.47.130. EXEMPTIONS. The following are exempt from secs. 100 - 120 of this chapter:

- (1) schools maintained by the United States, the state, or its political subdivisions;
- (2) schools chartered, licensed, regulated, or approved by the United States or by the state, provided that tax licenses or corporate charters issued by the state or a municipal corporation shall not be considered to be licenses or charters within the meaning of this section, and provided

that approval or regulation under secs. 010 - 060 of this chapter shall not be considered to be approval or regulation for the purposes of this section;

(3) schools approved by the Northwest Association of Secondary and Higher Schools or listed in the Educational Directory of the United States Office of Education;

(4) schools maintained or classes conducted by employers for their own employees where no fee or tuition is charged;

(5) courses of instruction on religious subjects given under the auspices of a religious organization;

(6) courses of instruction given by a fraternal society or benevolent order to its members or their immediate relatives when the courses are not operated for profit.

Sec. 14.47.140. PENALTY. A person who violates an order of the Department of Education issued under sec. 120 of this chapter is guilty of a misdemeanor, and upon conviction is punishable by imprisonment in a jail for not more than 30 days, or by a fine of not more than \$1,000, or by both.

\* Sec. 3. A person, persons, school, institution, organization or association subject to this Act, which on the effective date of this Act is designated a college, university, junior college, or community college, shall apply to the commissioner for approval within 90 days after the commissioner promulgates regulations under AS 14.47.110.

\* Sec. 4. AS 14.47.040(2) is amended to read:

(2) schools chartered, licensed, regulated, or approved by the United States or by the state, provided that

tax licenses or incorporation shall not be considered to be  
charters or licenses, and provided that approval or regula-  
tion under secs. 100 - 140 of this chapter shall not be con-  
sidered to be approval or regulation for the purposes of this  
section;

\* Sec. 5. This Act takes effect on the day after its passage  
and approval or on the day it becomes law without such approval.