

Introduced: 2/11/66
Referred: Health,
Welfare and Education

1 IN THE SENATE

BY THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 246

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the prohibition of
7 the use of the terms university, college,
8 junior college or community college by
9 educational institutions without the
10 approval of the commissioner of education;
11 and providing for an effective date."

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

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

26 * Sec. 2. AS 14.47 is amended by adding a new article to read:

27 ARTICLE 2.

28 NAMES OF EDUCATIONAL INSTITUTIONS

29 Sec. 14.47.100. USE OF NAMES PROHIBITED. No person,

1 persons, school, institution, organization or association
2 offering a course of instruction in any field of study,
3 vocation, or skill shall designate such person, persons,
4 school, institution, organization or association a college,
5 university, junior college or community college without the
6 approval of the commissioner.

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

11 Sec. 14.47.120. HEARING AND ORDER ON VIOLATIONS. On
12 complaint of any person or on its own motion the department
13 may conduct an investigation to determine if there has been
14 a violation of sec. 100 of this chapter, or any regulation
15 promulgated under this chapter. If there are grounds for
16 believing that there is a violation, the Department of
17 Education may institute proceedings under AS 44.62.330 -
18 44.62.630. On a finding of a violation the Department of
19 Education shall order the respondent to cease using the
20 prohibited designation.

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

23 (1) schools maintained by the United States, the
24 state, or its political subdivisions;

25 (2) schools chartered, licensed, regulated, or
26 approved by the United States or by the state, provided
27 that tax licenses or corporate charters issued by the state
28 or a municipal corporation shall not be considered to be
29 licenses or charters within the meaning of this section,

1 and provided that approval or regulation under secs. 010 -
2 060 of this chapter shall not be considered to be approval
3 or regulation for the purposes of this section;

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

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

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

12 (6) courses of instruction given by a fraternal
13 society or benevolent order to its members or their imme-
14 diate relatives when the courses are not operated for profit.

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

21 * Sec. 3. Any person, persons, school, institution, organiza-
22 tion or association subject to this article, which on the
23 effective date of this Act is designated a college, university,
24 junior college, or community college, shall apply to the com-
25 missioner for approval within 90 days after the commissioner
26 promulgates regulations under sec. 14.47.110.

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

28 (2) Schools chartered, licensed, regulated, or
29 approved by the United States or by the state, provided

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

that tax licenses or incorporation shall not be considered
to be charters or licenses, [;] and provided that approval
or regulation under secs. 100 - 140 of this chapter shall not
be considered 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.