

State of Maine
STATE BOARD OF EDUCATION

Testimony of Fern Desjardins, Chair of the Maine State Board of Education

Neither For Nor Against: L.D. 19

An Act to Authorize the National Institute of Funeral Services to Grant Associate Degrees

Before the Joint Standing Committee on Education and Cultural Affairs

Emergency Bill

Introduced by: Representative Doudera

Date: February 2, 2023

Senator Rafferty, Representative Brennan, and Honorable Members of the Joint Standing Committee on Education and Cultural Affairs:

My name is Fern Desjardins, Chair of the Maine State Board of Education. I am here to speak Neither For Nor Against L.D. 19 An Act to Authorize the National Institute of Funeral Services to Grant Associate Degrees.

The Maine State Board of Education is not against L.D. 19, but we are concerned with the timing of the bill. Rule 05-071, CMR 149 clearly identifies the procedures to be followed by a postsecondary institution that seeks to offer any course or programs for which academic credit is granted or to confer a degree at the Associate level or higher in Maine. The process starts with the officials of the applicant institution of higher education notifying the Commissioner of Education of their intent to obtain legislative authorization to confer a degree at the Associate level or higher at least six months prior to the start of a legislative session. The Commissioner then follows the steps outlined in Chapter 149 and officials of the applicant institution of higher education prepare a report providing in-depth information about the institution with attention to organization and governance, institutional objectives, degree requirements, admission requirements, and a number of other areas identified in the Rule. Once the report is received, the Commissioner forms a Review Committee authorized to review and evaluate the submitted material and to conduct on-site visits when applicable. The committee consists of individuals who are representative of Maine's institutions of higher education and 1-2 "Observers" from the Maine State Board of Education.

The Review Committee prepares a draft report detailing the facts based upon their review and they include a recommendation as to whether the request for degree granting should be authorized. Once the accuracy of the facts in the report is determined, the final report and

recommendation are forwarded to the Commissioner of Education and President of the applicant institution. Chapter 149 is clear in the next step, which is “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.”

Here we are today faced with a bill but no Review Committee report because of a number of circumstances that changed the timeline for the review of the National Institute of Funeral Services (NIFS). As Chair of the State Board I postponed the most recent NIFS review scheduled for January 20 because we lacked having a liaison, the Department of Education’s Director of Higher Education and Educator Support Services, to work with the Review Committee.

The final step in the procedure for obtaining initial degree authorization and approval is for the State Board of Education to make a recommendation on the request and to transmit it to the Joint Standing Committee on Education and Cultural Affairs and to notify the President of the applicant institution of the action.

The State Board is not ready for that recommendation because we have not completed the review process. A Review Committee was formed and they are well into a review of the submitted materials and the application of standards for evaluating requests as adopted in Rule 05-071 CMR 170. They need to finish that process and move forward with plans for a virtual review. Therefore, I ask that you allow for the additional time needed for us to follow the procedures outlined in Chapter 149 so that the Review Committee can carry out its responsibilities with due diligence. The DOE informed me on January 31 that they have hired a Director of Higher Education and Educator Supports. We hope to get the review process going soon with additional supports being put in place.

You control the fate of this bill. It is within your authority to proceed and grant NIFS the right to offer a degree in funeral services even if the DOE and State Board have a statutory process in place. However, after the review takes place and the Commissioner forwards the final report and recommendation for action to the State Board of Education, the Board will ultimately take final action on the request by NIFS. I think that the need for funeral services in Maine could be more effectively met if we worked together by following the procedures in Chapter 149 that have served us well.

Again, the State Board of Education is Neither For Nor Against L.D. 19 An Act to Authorize the National Institute of Funeral Services to Grant Associate Degrees. But delaying the work sessions and having the bill work in tandem with the procedures for obtaining initial authorization and approval would serve us best.

Thank you for this opportunity to comment.

I would be happy to answer any questions the Committee may have. The State Board will be available for work sessions on this bill.