

MARYLAND HIGHER EDUCATION COMMISSION

MEETING BOOKLET

Time: 11:00 AM
June 16, 2016

Place: Maryland Higher Education Commission
7th Floor Board Room
6 N. Liberty Street
Baltimore, MD 21201

Maryland Higher Education Commission

Anwer Hasan, Chairman

Sandra L. Jimenez, Vice-Chair

Brandon G. Bell

Vivian S. Boyd

Mariyah S. Bryant, Student Commissioner

Joseph DeMattos, Jr.

John Holaday

Ian MacFarlane

Donna M. Mitchell

Joel Packer

Rizwan A. Siddiqi

John W. Yaeger

James D. Fielder, Jr., Ph.D.
Secretary

Lawrence J. Hogan, Jr.
Governor

Boyd K. Rutherford
Lt. Governor



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Anwer Hasan
Chairperson

James D. Fielder, Jr., Ph. D.
Secretary

Maryland Higher Education Commission Meeting Agenda

TIME: 11:00a.m.
Thursday
June 16, 2016

PLACE: Maryland Higher Education Commission
6 N. Liberty Street, 7th FL BR
Baltimore, MD 21201

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Adjournment

Maryland Higher Education Commission

Regular Session
Meeting Minutes

April 27, 2016
1:00 p.m.

The Maryland Higher Education Commission (MHEC) met on Wednesday, April 27, 2016 at 6 N. Liberty Street, 7th Floor Board Room, Baltimore, MD 21201.

Commission members present:

Anwer Hasan Chairman	Sandra Jimenez Vice Chair
Vivian Boyd	John Yaeger
John Holaday	Ian MacFarlane
Donna Mitchell	

Commission members not present:

Brandon Bell	Mariyah Bryant
Joel Packer	Joseph DeMattos, Jr.
Rizwan Siddiqi	

Staff members present:

James D. Fielder, Jr., Secretary	Mark Blom, Principal Counsel
Tonya L Johnson	Christine M.H. Wellons
Jacqueline Cade	Monica Wheatley
Jesse Kane	David Beard
Geoffrey Newman	Lee Towers
Alan Gallegos	

Call to Order

The meeting was called to order by **Chairman Hasan** at approximately 1:09 p.m. A meeting quorum was established with seven out of twelve members present.

Chairman's Remarks

Chairman Hasan welcomed new **Commissioner, Donna Mitchell**. **Commissioner Mitchell** thanked the Commission for the opportunity to serve. She expects to learn a lot and contribute in any way.

Secretary's Remarks

Secretary Fielder welcomed new **Commissioner Donna Mitchell**. He reported that he has visited 7 institutions – University of Maryland Eastern Shore, Towson University, University of Maryland Baltimore, Morgan State University, St. Mary's College of

Maryland, Hood College, and Coppin State University. He plans to visit Bowie State University, University of Baltimore, and Baltimore City Community College. The purpose of the visits were to meet with presidents and senior staff to listen and understand where they see the next five to ten years moving forward. There were concerns about academic duplication and enrollment. MHEC will continue to monitor the academic program requests to avoid academic duplication. In addition, the Governor is excited to sign the P-Tech bill. The P-Tech bill is a pathway to technology for college and high school. Students who are in the 9th grade can attend either of two schools, at the start of the program that will be named in Baltimore City. The unique part of it is combining with three corporations to provide summer internships and mentorships as well as being first liners for a job after graduating after 6 years with a high school diploma and an associate's degree in STEM. IBM started this program in New York. It is an innovative program that will be launched in Baltimore next year. Interest is growing because if consortiums are developed across the state with businesses, it will link business to government and education together.

Secretary Fielder announced that Genevieve Segura will be retiring on May 1, 2016. By the next Commission meeting, MHEC plans to have hired an Assistant Secretary for Academic Affairs and a Director of Communications.

Faculty Advisory Council

Dr. Nicole Dombrowski-Risser reported that the FAC met last week and approved a resolution that was presented. Dr. Dombrowski-Risser reported that at the advising level across the state, there is an increase impediment towards graduation for thousands of students who are non-STEM degree candidates. There is an inability to pass algebra II to college readiness although there are faculty, tutors, and infrastructure in place to help the students. Therefore, the resolution pertains to changing the wording of COMAR 13B.06.01.03.C.4 defining general education mathematics. The change is from – “at or above the level of college algebra” to “having performance expectations demonstrating a level of maturity beyond Maryland College and Career Ready standards...” Those are high school standards and there will be a requirement to get something more than the high school standards. For non-STEM track students, FAC proposes to exempt algebra from the curricula. FAC has requested that the legislature enacts speedy adoption to bring General Education regulations into agreement with college completion provisions of the College and Career Readiness Act of 2013.

FAC is working on developing a mid-semester evaluation tool so students in the classroom can benefit from feedback to the professor while they are in the class rather than waiting until the end of the semester. This tool will be used as an exchange between the student and the professor.

FAC will have an election of officers and pass a resolution to celebrate the extraordinary work of Genevieve Segura.

In reference to the adjunct faculty report, FAC has experienced problems in receiving additional information about which different types of departments are most reliant on adjunct faculty and what are the consequences of such reliance. Because of this, the FAC has requested that the Commission consider adopting and recommending those basic good practices for the use of adjunct faculty statewide or to simplify the request for information. **Commissioner MacFarlane** suggested that the Commission support the initiative from a fairness standpoint. Dr. Dombrowski-Risser will reformulate the

recommendations and brief sheet and submit to the Commission for action at the next Commission meeting.

Student Advisory Council

Chairman Hasan recognized Jesse Kane. Mr. Kane reported that the Council had an annual day of service on April 14th at Waverly Elementary and Middle School assisting in various capacities. The last meeting is scheduled for May 7th at MHEC. They are in the process of receiving recommendations for membership on SAC and for the Regina Lightfoot Service Award.

Approval of Minutes – Action Item

There was a motion by **Commissioner MacFarlane** and a second by **Commissioner Holaday** for approval of the March 23, 2016 meeting minutes. The motion was approved unanimously.

Office of the Secretary – Final Legislative Session Report –Information Item

Chairman Hasan recognized Lee Towers. Mr. Towers provided a brief synopsis of passed legislation. The vast majority of the bills are centered on student debt and financial assistance. Some highlights include HB 460/SB 381 – Housing and Community Development – Community Development Administration – Student and Residential Mortgage Loans. This is an administration bill that allows the Department of Housing and Community Development to provide financial assistance to homeowners.

HB 1014/SB 676 – College Affordability Act of 2016. This bill heavily impacts MHEC. MHEC will issue tax credits to certain former students who have student loan debt of at least \$20,000 and at least \$5,000 remaining. Tax credits will not take effect until next tax year. An outreach and marketing plan must be developed by September 1, 2016. A consultant must be retained to conduct an independent evaluation on the effectiveness of the Office of Student Financial Assistance (OSFA). Money was provided in the budget to pay for the study. Also, MHEC must develop an app.

Regarding HB 1015 – Study of Student Loan Refinancing in Maryland, MHEC and other state agencies will participate in the study to focus on the expansion of the creation of the appropriate bonding authority for the refinancing of student loans to reduce interest rates.

HB 1079 – Montgomery County Student Loan Refinancing Authority MC 27-16 is enabling legislation for Montgomery County to provide development authority with the goal of reducing student debt.

MHEC is responsible for outreach, however, HB 1403/CH 33/SB 1170 – Next Generation Scholars of Maryland lowers the focus for students in grades 7 and 8, thereby transferring some responsibility from MHEC to MSDE.

SB 108 – Nurse Support Program Assistance Fund – Revisions is a departmental bill. A minor change was made in the bill - the word “bedside” was removed from the bill which now opens up the program to all nursing programs.

SB 376 – Pathways in Technology Early College High (P-TECH) Schools Act of 2016 provides for two schools to participate.

SB 427/HB 741 – Higher Education – Institutions of Postsecondary Education – Consumer Protection Provisions creates a guaranteed fund for for-profit institutions of higher education and creates more consumer protection items for students in private career schools.

SB 1052/CH 25 – University of Maryland Strategic Partnership Act of 2016 – Enacted under Article II, Section 17(b) of the Maryland Constitution requires the University of Maryland, College Park and the University of Maryland, Baltimore to develop a strategic partnership to work together and it establishes two new centers to pursue grant funding – The University of Maryland Center for Economic and Entrepreneurialship Development at the University of Maryland, College Park and The Center for Maryland Advanced Ventures at University of Maryland, Baltimore. Also, it requires USM to relocate their headquarters to Baltimore by July 1, 2017.

Office of the Secretary – Commissioner Committees – Revised Resolution –Action Item

Chairman Hasan recognized Mark Blom. Mr. Blom recommended that the **Commission** adopt a motion that would approve a revision to the resolution that was previously adopted. The revision was necessary because, originally, the **Commission** adopted four committees, one of those was the Information Technology and Innovative Solutions Committee. Since then, there were discussions at the **Commission** level and it was determined that the committee would no longer be effective due to the statewide reorganization about the utilization of technology.

Chairman Hasan recommended that four **Commissioners** each serve on the three committees and that the IT function fall under the Finance and Operations Committee. He appointed **Commissioners Mitchell** and **Commissioner Bell** to the Finance and Operations Committee. Also, he recommended that a **Commissioner** serve for more than a year.

The **Commissioners** and Mr. Blom discussed the need to modify the Resolution as follows:

II (A)

Delete the word “three” and replace with the following - Each Committee shall consist of Commissioners appointed by the Chairman for a 1 year term.

II (B)

Delete the sentence and replace with the following – An appointment to a Committee shall continue from year to year unless revised by the Chairman.

II (D)

Delete the words “a” and “member” and replace it with the following - The Secretary of Higher Education shall appoint staff to serve as liaison to each Committee.

Secretary Fielder appointed MHEC staff liaisons to the committees. For the Finance and Operations Committee, MHEC staff liaisons are Geoffrey Newman and Jeff Cann; For the Outreach, Grants, and Financial Assistance Committee, MHEC staff liaisons are Lee Towers and Donna Thomas; and for the Program Review Committee, MHEC staff liaisons will be the Assistant Secretary and the Director of Academic Affairs.

Secretary Fielder expressed the need for innovation and requested that the Commissioners begin looking externally for creative ways to establish centers of excellence.

As next steps, **Chairman Hasan** recommended that each committee elects a chair and begin setting up meetings and developing a plan. He requested that the staff liaison set up a conference call for an initial meeting prior to the next Commission meeting.

Commissioner MacFarlane motioned to recommend that the Commission move to adopt the attached Resolution as modified by Mr. Blom on Commission Committees dated April 27, 2016, with the recognition that it supersedes the Resolution adopted August 20, 2015, and further move that this action suspends the Education Policy Committee and the Finance Policy Committee, which are provided for in the Commission Bylaws, until reactivated by the Commission. **Commissioner Yaeger** seconded the motion. The motion was approved unanimously.

Department of Academic Affairs – Lesley University – Waiver of Full-Time Faculty Definition – Action Item

Chairman Hasan recognized Jaqueline Cade. Ms. Cade reported that Lesley University submitted a request for a waiver for the definition of full-time faculty consistent with the Commission’s requirement for authorization of out-of-state degree-granting institutions to operate in Maryland, specifically noted in COMAR 13B.02.01.16(b). The documentation submitted by Lesley demonstrates that it meets the Commission’s requirements for a waiver. A request for a waiver is being presented to the Commission for action. COMAR 13B.02.01.16 provides for a waiver of the definition of full-time faculty under certain conditions. Lesley University has met those conditions. The conditions relate to the unique role, scope, and mission of the institution; the designation of faculty primarily responsible for instruction, scholarship, research, and service; requirement that designated faculty substantially participate in professional activities at the institution; and the requirement that at least 1/3 of the classes offered be delivered by the designated faculty.

Roxanne White, Director of Curriculum and Professional Development, Urban Teacher and Amber Glaros, faculty for the Lesley/UT program was present.

Commissioner MacFarlane questioned whether an existing waiver existed. Ms. Cade responded that no such request has been made in the past. Also, he questioned about how institutional problems are addressed. Ms. Glaros responded that throughout the school year, Lesley mentors conduct weekly mentor calls to discuss coursework, and they look at student work. Also, 3 times over the course of the year, a programmatic retreat is planned to observe and/or engage in coursework instruction and to look at coursework survey data and trends and patterns.

Commissioner Boyd questioned the types of degrees that are being offered for the Cohort 2015 Enrollment of 45. Ms. Glaros responded that it is a Master’s in Education with two content areas. One content area is elementary education, secondary math, or secondary ELA. The other content area is special education.

Commissioner Yaeger motioned to recommend that the Commission grant Lesley University a waiver of the definition of full-time faculty as provided for in the Maryland Higher Education Commission’s “Requirements for Authorization of Out-of-State

Degree-Granting Institutions to Operate in Maryland.” It is also recommended that the Commission grant the waiver for the duration of Lesley’s physical presence in Maryland, which will terminate in May 2017. **Vice-Chair Jimenez** seconded the motion. The motion was approved unanimously.

Department of Academic Affairs – Reid Temple Bible College’s Stage 1 Application – Information Item

Chairman Hasan recognized Monica Wheatley. Ms. Wheatley reported that MHEC approved, on April 21, 2016, Reid Temple Bible College’s Stage 1 Application to operate as an in-state institution under a certificate of approval and is ready to move to Stage 2.

Representatives of Reid Temple Bible College reported that the college is an entity of Reid Temple A.M.E.. They provided historical/background information about the college, church, and Rev. Dr. Lee P. Washington’s mission.

Department of Academic Affairs – Academic Program Actions Quarterly Report – (January 1st to March 31st) - Information Item

Chairman Hasan recognized Monica Wheatley. Ms. Wheatley reported on degree programs, certificate programs, area of concentration, out-of-state institutions, proposals withdrawn, programs denied, proposals discontinued/suspended, and partnerships totaling 76 program proposal actions.

Department of Academic Affairs – Private Career School Actions Quarterly Report – (January 1st to March 31st) - Information Item

Chairman Hasan recognized Alan Gallegos. Mr. Gallegos reported on the approval of new schools, new programs reviewed and approved, approval of changes of location, approval of change of ownership, other business, certificate renewals, other actions, and school approval withdrawn.

Department of Finance and Administration – State of Maryland Higher Education Institutions Supplemental 401 (a) Matching Plan and Trust – Action Item

Chairman Hasan recognized Geoff Newman. Mr. Newman requested that the Commission approve minor revisions in federal law to the State’s Section 401 (a) plan document for higher education institutions. Attorney General Frosh has executed the document and it now needs to be ratified by the governing board for each associated higher education entity, including MHEC.

Commissioner Holaday motioned to recommend that the Maryland Higher Education Commission ratify the attached State of Maryland Higher Education Institutions Supplemental 401(a) Matching Plan and Trust, effective January 1, 2016.

Commissioner MacFarlane seconded the motion. The motion was approved unanimously.

Department of Finance and Administration – Capital Budget Process Overview for Public Four-Year Colleges and Universities – Information Item

Chairman Hasan recognized David Beard. As requested by the **Commissioners** from the last Commission meeting, Mr. Beard provided additional information regarding the

capital budget process. The capital budget process includes public four-year institutions and Baltimore City Community College. Projects are submitted and the eligibility criteria for any project to be considered in the budget must be listed in the institution's facilities master plan. There must be a facilities program submitted by the institution with that project. The facilities program provides justification for the project, define and explains the scope of work, provides detailed requirements for project design, and comprise of two units – Part I – Education Specs or Justification and Description and Part II - Details to procure architectural and engineering services and detailed guidance in creating project design. Part I and Part II submissions must receive agency approval from the Department of Budget and Management and the Department of General Services before the project becomes eligible for state funding consideration. The facilities program must be included in a five-year capital improvement program and budget request. MHEC is not assigned to review Part II. The Department of Budget and Management and the Department of General Services approves the facilities program. Once approved, the project is available for consideration in the CIP. Prioritization takes place through MHEC and there are certain areas that are considered. The facilities master plan is the key document initially. The master plan must be approved by the board of the institution. It is a plan of not less than ten years and the institutions complete them as a matter of habit. MHEC, Department of Budget and Management, Department of General Services, and the Department of Planning reviews the master plans. The final decision is made jointly by MHEC and the Department of Budget and Management rendering a final recommendation to either:

1. Unconditional endorsement of the plan;
2. Conditional endorsement of the plan;
3. Return the plan

Commissioner MacFarlane questioned the timeline for reviewing facilities master plans. Mr. Beard responded that it is done ad-hoc; however, it is a ten year plan and institutions must update or renew their plans.

Chairman Hasan questioned whether or not master plans are reviewed in addition to facilities plans. Mr. Beard responded that he reviews master plans.

Chairman Hasan questioned how the institutions prioritize the projects. Mr. Beard responded that the institutions typically uses a strategic plan, they look at their mission, academic programs, demand for different types of programs, classroom delivery, and other areas.

Secretary Fielder questioned whether MHEC or the Department of Budget and Management has the authority to recommend other projects as the institutions' priorities. MHEC does not have the authority to recommend.

There was extensive discussion centered on the expectation that there should be agency involvement when institutions are prioritizing projects. Mr. Beard cited the Annotated Code that prohibits MHEC from recommending against a budget item approved by the Board of Regents unless the item is clearly inconsistent with the State Plan for Higher Education.

Adjournment

The meeting adjourned approximately 3:27 p.m.

Action Brief on Policies Regarding Adjunct Faculty in Maryland Public and Private Colleges and Universities:

Recommendations of the MHEC Faculty Advisory Council to the Commissioners June 2016

Rationale:

In Maryland, adjunct professors currently represent 70% of instructional faculty at community colleges and 52% at four-year colleges and universities. Facilitating the ability of these professionals to teach effectively and be engaged with their students and their institutions is critical for retaining and graduating students.

To date, there have been no explicit statewide policies regarding the strategic use of adjunct faculty. Here, we provide recommendations for specific actions that will enable Maryland to hire and retain adjunct faculty who excel in teaching and are experts in their fields, and to foster integration of these individuals into their college and universities.

The action points listed below integrate the major points of our full-length report to the Commissioners (Responding to the Changing Role of Adjunct Professors in Maryland's Colleges and Universities; May 2015) with the standards for non-tenure-track faculty currently in place in the University System of Maryland.

Action Items:

1. Provide access to essential resources for teaching:

- Adjunct faculty need to be provided with the same resources as full time faculty, including free textbooks and office supplies, a mailbox, a college email address and access to equipment such as photocopiers, computers, optical mark recognition scanners (e.g., Scantron machines), and facsimile machines.
 - Institutions should make certain that these resources are available in the evenings and weekends, for adjuncts who may only be on campus during those times.
- Free (or reduced rate) parking should be provided, and institutions should ensure that adjuncts arriving mid-day will have parking spaces available.

2. Provide office space:

- Adjunct faculty must be provided with office space where they can routinely meet with their students to discuss feedback on assignments, grades, or other potentially sensitive matters as well as prepare for teaching and satisfy other work responsibilities. At a minimum, this should be 1 hour for every course taught.

- Due to legal and ethical considerations, shared offices should never be used when conversing with students, especially when discussing sensitive topics.

3. Facilitate interactions between students and adjunct faculty via learning management systems:

- Since learning management systems (such as Blackboard, Canvas, Desire2Learn) are important tools to communicate with and provide academic support to students, all adjunct faculty must be provided with accounts and training for the system used by that institution. Adjuncts should be given the option of on-line training, and provided with contacts at the college or university who can help them set up and maintain the sites for their courses.

4. Encourage integration to institutions, departments, and teaching assignments

- When hired, adjuncts should be provided information about the institution and their specific department (both in person and in writing), including academic policies, human resource information, opportunities for professional development and services available for students such as learning, writing, and counseling centers.
- Adjuncts should also be permitted to participate in governance, and be provided with notification of events on campus.
- New faculty should be provided with syllabi, sample exams and/or access to a learning management systems site from a previous version of the course the adjunct will be teaching.

5. Within departments, provide performance evaluation, mentoring, and updated information:

- Adjunct faculty performance should be evaluated on a regular schedule by Department Chairs or designated full-time faculty as well as by students. The evaluations must be discussed in person with the adjunct by either the Department Chair or course coordinators.
- Mentoring of adjuncts by full time faculty should be a standard process within individual departments.
- Adjuncts should be provided with a summary of (or be allowed to attend) important departmental meetings, and be notified by email about departmental events.

6. Provide opportunities and incentives for professional development

- Many adjuncts, while having expertise in their field, have little or no training in teaching methods. They must be provided with opportunities to learn basic pedagogy as well as innovative pedagogies and strategies for using current classroom technologies. Since many

adjuncts have responsibilities during normal work hours, training should be provided on-line, in webinars and in face-to-face classes at nights and on weekends.

- Long-term adjuncts should also be provided with registration fees to defer the cost of attending conferences in their field of study to promote their continuing competence.
- Incentives for this training should be provided: for example, individuals who complete a certain number of relevant courses and/or attended professional conferences could receive an increase in their salary.

7. Provide adequate notice of teaching assignments:

- The practice of “just-in-time” hiring should be avoided if at all possible, to give adjuncts sufficient time to prepare to teach a course. Institutions should have a goal of providing notice of teaching assignments 45 days prior to the class start date.
- If a class to which an adjunct faculty member has been assigned is cancelled less than 30 days prior to the class start date, and the institution is unable to offer the adjunct faculty re-assignment to a comparable class, the institution shall compensate that individual 10% of the payment amount specified in the contract or appointment letter for that class.
- Adjuncts should also receive compensation for other situations for which they prepare classes but do not teach them, such as snow days.
- Adjunct faculty who have taught the same course (or similar courses) for more than 5 semesters at an institution should be given contracts for periods of time longer than a single semester. A minimum of one year would allow individuals to plan and budget more than a few months at a time, thus provide an enhanced feeling of security.

8. Provide contracts in which expectations are clearly delineated:

- Adjuncts must be provided a written contract or formal letter of appointment prior to the beginning of each teaching assignment. This document should clearly describe all of the expectations for the adjunct, as well as the term, per-course compensation, implications of cancellation of the course, performance evaluation policies and procedures, and employee benefits, if any.

9. Provide adequate compensation, and opportunities for advancement:

- Compensation for adjuncts should be based on their education and their number of years of experience teaching. Opportunities for an advanced position for adjuncts should be provided, such as the Adjunct Faculty II positions in the University System of Maryland.

- Institutions must make certain that the compensation provided to adjuncts for teaching a course always exceeds the minimum wage. The number of hours of service per course must be calculated using a method that includes, in addition to instruction and class preparation time, other activities engaged in by adjuncts, including grading, meeting with students, responding to student inquiries, mentoring students and writing recommendations.
- Since adjuncts in Maryland are usually paid less than half of the amount paid to full-time faculty on a per-course basis, efforts should be made to make adjunct faculty base compensation be a more reasonable percentage of the base pay of full time assistant professors.
- Adjuncts should be given benefits that can be provided at little or not cost to the institution, such as the ability to participate in retirement or health plans at their own expense, and access to recreational facilities. In the future, the possibility of providing long-term adjuncts with employer-provided benefits, perhaps based on the number of hours and/or years of service, should be evaluated.

10. Begin implementation of these reforms:

- All Maryland public and Private Colleges and Universities should set up a task force to assure compliance with the action points listed above during the 2016-2017 academic year, with the goal of implementing these reforms by Fall 2017.



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Creating a state of achievement

Larry Hogan
Governor

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Anwer Hasan
Chairperson

James D. Fielder, Jr., Ph.D.
Secretary

2016 Commission Committees

Commission Committee	MHEC Commissioners Preferences	MHEC Staff Liaisons to Committee
<p>Finance and Operations</p>	<p>Ian MacFarlane imacfarlane@eaest.com</p> <p>Rizwan Siddiqi rizwan.siddiqi@ebaengineering.com</p> <p>Donna Mitchell donnam@destinymgmtsvcs.com</p> <p>Brandon Bell brandon.bell@partners.mcd.com</p>	<p>Geoff Newman Jeff Cann</p>
<p>Outreach, Grants, and Financial Assistance</p>	<p>Anwer Hasan ahasan@louisberger.com</p> <p>Sandra Jimenez sandra.jimenez@pgcps.org</p> <p>Joel Packer packer418@gmail.com</p> <p>Mariyah S. Bryant mabry3@morgan.edu</p>	<p>Lee Towers Donna Thomas</p>
<p>Program Review</p>	<p>John Holaday johnholaday@mac.com</p> <p>John W. Yaeger yaegerj@ndu.edu</p> <p>Joseph DeMattos, Jr. jdemattos@hfam.org</p> <p>Vivian S. Boyd vboyd@umd.edu</p>	<p>Assistant Secretary Director of Academic Affairs</p>

Maryland Higher Education Commission

RESOLUTION

Commission Committees

April 27, 2016

WHEREAS, The Maryland Higher Education Commission has the statutory responsibility to coordinate the overall growth and development of postsecondary education in the State and to exercise other general powers and duties as provided in law; and

WHEREAS, The Commission can more effectively and efficiently fulfill its duties with the use of standing Commissioner Committees; and

WHEREAS, The use of a committee structure will enhance the operations of the Maryland Higher Education Commission and its agency; now, therefore be it

RESOLVED, That the Commission establishes standing Committees and operating procedures as follows:

I. Standing Committees

The Commission establishes the following standing committees:

- Finance and Operations
- Outreach, Grants, and Financial Assistance
- Program Review

II. Membership, Appointment, and Term

A. Each Committee shall consist of Commissioners appointed by the Chairman for a 1 year term. In making appointments, the Chairman shall try to match assignments to Commissioners' expressed areas of interest.

B. An appointment to a Committee shall continue from year to year unless revised by the Chairman.

C. If a vacancy occurs in a Committee, the Chairman shall appoint a Commissioner to finish the vacated term.

D. The Secretary of Higher Education shall appoint staff to serve as liaison to each Committee.

III. Role and Authority

A. The Committees are advisory in nature. No official Commission action shall be taken by a Committee.

B. A Committee shall study subjects according to its specific charge as provided herein.

C. Each Committee shall report on its operations, and provide recommendations on matters under study as appropriate, at each regularly scheduled Commission meeting.

IV. Committee Processes and Operations

- A. Each Committee shall select a Committee Chairperson to serve a 1 year term.
- B. Committees shall meet at a time and location convenient to its members.
- B. Committee meetings shall be open to the public and conducted in accordance with the Maryland Open Meetings Act.
- C. The Committee Chair shall establish the agenda, in consultation with other Committee members and the staff liaison, conduct the meeting, and facilitate communication of Committee business. Committee recommendations shall be determined by majority vote of the Committee.
- D. At the direction of the Committee, the public may be invited to comment on agenda items being discussed by the Committee.
- E. The staff liaison shall keep minutes of each Committee meeting, a record of member attendance, a record of Committee actions, and summaries of Committee discussions. A copy of approved Committee minutes shall be sent promptly to all Commissioners and the Secretary.

V. Committee Charges

A. The Finance and Operations Committee

The charge of the Finance and Operations Committee is to study and recommend effective management systems and operational processes to maximize the quality and efficiency of MHEC's work. In particular, it will examine MHEC's auditing, accounting, and financial reporting processes and internal controls, and provide recommendations as it deems appropriate. It will also study and recommend feasible methods for improving the compensation and benefits of MHEC employees to enhance the recruitment and retention of highly quailed individuals.

B. The Outreach, Grants, and Financial Assistance Committee

The charge of the Outreach, Grants, and Financial Assistance Committee is to study Maryland's grants and financial aid programs, and MHEC's administration of those programs, and recommend changes to better serve the purposes of those programs and their efficient administration. It will also recommend strategies for improving the public's awareness of financial aid opportunities, the value of a postsecondary education, and MHEC's mission, operations, and services.

C. The Program Review Committee

The charge of the Program Review Committee is to examine MHEC's academic program review processes, including both collegiate affairs and private career schools, and make recommendations for improving its effectiveness and efficiency.

THE COMMISSION ADOPTED THIS RESOLUTION ON APRIL 27, 2016.



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Anwer Hasan
Chairperson

James D. Fielder, Jr., Ph.D.
Secretary

MEMORANDUM

DATE: June 16, 2016

TO: Chairman Hasan and Commissioners, Maryland Higher Education Commission

FROM: Christine Wellons, Assistant Attorney General

CC: Monica S. Wheatley, M.S., Associate Director, Collegiate Affairs

RE: **Appointment of Dr. Maria Thompson to the Correctional Training Commission (CTC) of the Department of Public Safety and Correctional Services (DPSCS)**

The Department of Public Safety and Correctional Services (“DPSCS”) has asked the Maryland Higher Education Commission (“MHEC”) to appoint a college or university president to serve on the Correctional Training Commission (“CTC”), which is a commission of DPSCS that is responsible for providing entry-level training to correctional officers in the State.

Pursuant to § 8-204 of the Correctional Services Article of the Annotated Code of Maryland, the CTC membership shall consist of, *inter alia*:

“the president of a university or college in the State with a correctional education curriculum, appointed by the Maryland Higher Education Commission[.]”

The MHEC-appointed CTC member does not serve for a specific term, and he or she may designate a representative to serve at the CTC meetings on his or her behalf. The president of Coppin State University currently is serving on the CTC.

I. Background Regarding the Correctional Training Commission

According to a DPSCS webpage (copy enclosed), “The Maryland Police and Correctional Training Commissions are vested with the authority to set standards of initial selection and training for all governmental law enforcement, correctional and parole and probation and juvenile justice officers in the State of Maryland, and to otherwise upgrade the professionalism of these officers.” <https://www.dpscs.state.md.us/aboutdpscs/>

Under § 8-208 of the Correctional Services Article, the CTC is charged with approving and operating entry-level correctional training schools for state and local correctional officers (*i.e.*, state and local employees responsible for the care and custody of inmates and persons on probation or parole).

II. Recommended Appointment of Maria Thompson, Ph.D.

Secretary Fielder and the MHEC staff recommend the appointment of Dr. Maria Thompson, president of Coppin State University, to the CTC. Dr. Thompson is highly qualified to contribute to the CTC and has indicated her willingness to continue Coppin State's service on the CTC. Biographical information regarding Dr. Thompson is contained within the enclosed *Baltimore Sun* article.

Not only is Dr. Thompson highly qualified to serve on the CTC, but also Coppin State University's programs make it well-poised to continue its contributions to the CTC. Coppin State has a variety of correctional and law enforcement programs, allowing it to bring an in-depth and diverse viewpoint to the CTC. Correctional training programs at Coppin State include: a Post-Baccalaureate Certificate in Criminal Justice; a Bachelor's Degree in Criminal Justice; and a Master's Degree in Criminal Justice.

RECOMMENDATION: It is recommended that the Maryland Higher Education Commission approve the appointment, pursuant to § 8-204 of the Correctional Services Article of the Annotated Code of Maryland, of Dr. Maria Thompson, President of Coppin State University, to serve on the Correctional Training Commission of the Department of Public Safety and Correctional Services.

News / Maryland / Education

New president named at Coppin State University



Maria Thompson has been named president of Coppin State University. She takes her post July 1.

Work highlights: provost and VP of academic affairs at State University of New York at Oneonta from 2011-2015; leading administrator for research and sponsored programs at Tennessee State University for 13 years

Education: bachelor's degree from Tennessee State; master's in textiles from Ohio State University; doctorate in textile science and textile economics from the University of Tennessee



By **Jonathan Pitts** · Contact Reporter
The Baltimore Sun

MAY 19, 2015, 8:18 PM

The University System of Maryland has turned to a veteran college administrator from New York to take over as president of Coppin State University, the historically black West Baltimore institution that has battled financial problems and poor graduation rates.

Evelyn Maria Thompson, 53, the provost and vice president for academic affairs at the State University of New York at Oneonta, will become Coppin's seventh president and the first woman to hold the position when she takes over July 1.

Thompson, who uses her middle name, Maria, will replace Mortimer H. Neufville, who has served as interim president since 2013.

Thompson spent 13 years helping to direct research and sponsored programs at Tennessee State University, a historically black institution in Nashville, before taking her position at SUNY Oneonta in 2011.

"Dr. Thompson has had such an impressive career in higher education," said William E. Kirwan, chancellor of the University System of Maryland, who praised her work at SUNY Oneonta to advance the quality of academic programs and her leadership of research programs at Tennessee State.

Her academic and administrative track record strike many as a good fit for Coppin State, where the faculty gave Neufville's predecessor, Reginald Avery, a vote of no confidence three years ago largely because of what they described as financial mismanagement, low morale and a graduation rate that hovered at about 15 percent, the lowest in the state.

In 2011, the school failed to distribute \$800,000 in need-based student aid and to fill three of five dean positions. The graduation rate bottomed out at 13 percent. Avery resigned in 2013.

At Tennessee State, Thompson developed and carried out a plan that expanded the school's externally funded projects program, swelling its budget to more than \$45 million, in part by focusing on grants and contracts that gave students more experiential learning opportunities, Maryland officials said.

And as the top academic officer at SUNY Oneonta, she led the educational efforts of a university of 6,000 students and oversaw institutional accreditation, curricular planning and the career development of more than 500 university educators.

She initiated the campus' first academic master plan and restructured the division of academic affairs, consolidating the school's long-term strategic position, officials said.

"I look forward to working with the [Coppin] faculty, staff, students and other stakeholders to continue the university's commitment to preparing graduates who are analytical, socially responsible and lifelong learners," Thompson said in a statement.

At Coppin State, she takes over a 115-year-old school with a long history of producing nurses, teachers and other professionals. The university offers 33 majors and 12 graduate degree programs with courses

in nursing, business, teacher education, science, engineering and mathematics.

The student body of about 3,000 draws heavily from Baltimore, and many need to complete remedial work after enrolling.

In 2013, an oversight committee investigating conditions at Coppin State for the Maryland Board of Regents reported it had found evidence of serious mismanagement.

Among other problems, the report said, the size of the faculty grew by 49 percent and the administration by 92 percent even as enrollment fell by 3 percent.

"What we found was significant misalignment between where faculty and administrative resources were placed and where the students" needed them to be, state Sen. Delores G. Kelley, a Baltimore County Democrat who served on the committee, said at the time.

The panel recommended sweeping changes, including the elimination of some administrative positions and low-priority courses, stiffening admissions requirements and improving marketing efforts.

The Board of Regents replaced Avery with an interim president so he could spend two years getting started on the changes before the next long-term leader took over.

Neufville accomplished that, according to one prominent faculty member, balancing the budget, hiring an enrollment manager to improve outreach and raising graduation rates to 16 to 18 percent. (The first figure comes from the university system, the second from the Maryland Higher Education Commission.)

"We aren't where we want to be, but Dr. Neufville has put us in a position where there's a good chance for improvement in the next few years," said John L. Hudgins, chairman of Coppin's department of social sciences and president of its chapter of the American Association of University Professors. "I've seen Dr. Thompson's resume, and I'm optimistic she'll be able to take us in that direction."

Tiffany Jones, a university spokeswoman, said about 600 graduate and undergraduate students received diplomas last weekend.

"We were filled to the gills with happy parents, friends and loved ones," she said, adding that graduation figures do not include the many transfer students from community colleges who earn Coppin diplomas.

Del. Adrienne A. Jones, a Baltimore County Democrat who chairs an education subcommittee of the House Appropriations Committee, said she hadn't met Thompson yet, but that from what she has read, she is looking forward to sitting down with the new leader and hearing her thoughts.

"She will be the first woman president, and that will bring a positive perspective. It's a great idea to bring

in a person with a background at a historically black university. And it's a good time for a person with ideas to come in," Jones said. "If everyone listens, we should be able to grow Coppin into a successful institution."

Thompson will begin at an annual salary of \$275,000.

jonathan.pitts@baltsun.com

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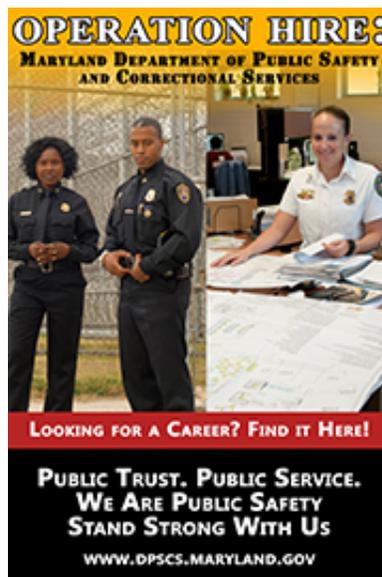
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Maryland Police and Correctional Training Commissions

The mission of the Police and Correctional Training Commissions (PCTC) is to ensure the quality of law enforcement and correctional services through the establishment and enforcement of standards and the facilitation and delivery of training, education and prevention programs. Its value derives from providing our customers with quality service, enhanced partnerships, problem-solving strategies and the support necessary for the prevention of crime and reduction of fear of crime. The Commissions foster and maintain ethics and integrity, encourage continuous learning, and treat everyone with dignity and respect. To this end, the PCTC is now housed in the comprehensive Public Safety Education and Training Center. Other agency responsibilities include administration of the Maryland Community Crime Prevention Institute and the Leadership Development Institute. The Police and Correctional Training Commissions administer the following programs:

- Correctional Entrance Level Training Program
- Driver Training
- Drug Abuse Resistance Education (DARE)
- Firearms Training
- Leadership Development Institute
- Maryland Community Crime Prevention Institute
- Parole and Probation
- Police Entrance Level Training Program
- Statewide Selection and Training Standards
- Vehicle Stop Data Analysis



2015 Annual Governor's Crime Prevention Award Winners

The Public Safety Education and Training Center in Carroll County, Maryland, provides training for state and local public safety officers by:

- Providing state-of-the-art driver training
- Offering comprehensive firearms instruction
- Renovating vacant buildings into classrooms and offices
- Supporting crime prevention educational programming

Administration of The Public Safety Education and Training Center is provided by the Maryland Police and Correctional Training Commissions. The Commissions are the primary providers of correctional entrance level, and mandated police and correctional administrator, supervisor and instructor training in Maryland.

With the support of many professional law enforcement organizations in Maryland, the 1966 Maryland General Assembly established the Police Training Commission. Its composition, authority and responsibilities are set forth in Ann. Code of Md., Public Safety Article, §3-201 et seq. In 1971, following the police lead, correctional organizations encouraged the creation of a Correctional Training Commission, Ann. Code of Md., Correctional Services Article, §8-201 et seq. Although they are separate entities under the Department of Public Safety and Correctional Services, both Commissions are served by a single Executive Director and Agency staff. The Maryland Police and Correctional Training Commissions are vested with the authority to set standards of initial selection and training for all governmental law enforcement, correctional and parole and probation and juvenile justice officers in the State of Maryland, and to otherwise upgrade the professionalism of these officers.

Maryland was the 23rd state in the Union to adopt some type of legislation to provide police and correctional training on a statewide basis. It was the 6th state to make compliance with minimum standards mandatory. It was the 1st state to require correctional standards on a statewide basis.

Contact Info

Maryland Police and Correctional Training Commissions

6852 4th Street
Sykesville, MD 21784
410-875-3400

[Email](#)

Resources

- [MPCTC Training](#)
- [MDLE.net](#)

Contact DPSCS

Privacy

Accessibility

Employee Email

300 East Joppa Road, Suite 1000 Towson, Maryland 21286

(410) 339-5000 (877) 379-8636



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Anwer Hasan
Chairperson

James D. Fielder, Jr.
Secretary

MEMORANDUM

DATE: June 16, 2016

TO: Maryland Higher Education Commission

FROM: Geoffrey Newman and Jon Enriquez
Assistant Secretary of Finance and Administration and
Director of Research and Policy Analysis

SUBJECT: Proposed Approval of COMAR Regulations – General Education and Transfer

The purpose of this memorandum is to request the Commission to approve for publication in the Maryland Register amendments to the Code of Maryland Regulations for General Education and Transfer for public institutions of higher education.

The revisions are recommended by the Student Transfer Advisory Committee (STAC) of the Commission. The STAC is recommending the revisions consistent with its work to develop a Statewide Transfer Agreement and Reverse Credit Transfer Agreement as required by the College and Career Readiness and College Completion Act of 2013.

If approved for publication by the Commission, these regulations will be submitted to the Administrative, Executive and Legislative Review (AELR) Committee for review for at least fifteen (15) days before they are submitted to the Maryland Register for publication. The regulations will undergo a thirty day comment period and will return to the Commission for final adoption.

RECOMMENDATION: It is recommended that the Maryland Higher Education Commission approve for publication the attached proposed amendments to COMAR 13B.06.01.02, 13B.06.01.02-1 and 13B.06.01.04 - .08, as presented, and authorize MHEC's attorneys to approve non-substantive revisions as necessary to conform the proposed regulations to the stylistic and formatting requirements of AELR and of the Division of State Documents.

Title 13B MARYLAND HIGHER EDUCATION COMMISSION
Subtitle 06 GENERAL EDUCATION AND TRANSFER
Chapter 01 Public Institutions of Higher Education
Authority: Education Article, § 11-201—11-206, Annotated Code of Maryland

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms defined.

(1) "A.A. degree" means the Associate of Arts degree.

(2) "A.A.S. degree" means the Associate of Applied Sciences degree.

(3) *"A.A.T. degree" means the Associate of Arts in Teaching degree.*

(4) *"A.F.A. degree" means the Associate of Fine Arts degree.*

~~(3)~~(5) *"Arts" means courses that examine aesthetics and the development of the aesthetic form and explore the relationship between theory and practice.*

~~(4)~~(6) "A.S. degree" means the Associate of Science degree.

(7) *"A.S.E. degree" means the Associate of Science in Engineering degree.*

~~(5)~~(8) "Biological and physical sciences" means courses that examine living systems and the physical universe. They introduce students to the variety of methods used to collect, interpret, and apply scientific data, and to an understanding of the relationship between scientific theory and application.

(9) *"Cumulative grade point average" means the average of grades received for completed coursework at all institutions attended.*

~~(6)~~(10) "English composition courses" means courses that provide students with communication knowledge and skills appropriate to various writing situations, including intellectual inquiry and academic research.

~~(7)~~(11) "General education" means the foundation of the higher education curriculum providing a coherent intellectual experience for all students.

~~(8)~~(12) "General education program" means a program that is designed to:

(a) Introduce undergraduates to the fundamental knowledge, skills, and values that are essential to the study of academic disciplines;

(b) Encourage the pursuit of life-long learning; and

(c) Foster the development of educated members of the community and the world.

~~(9)~~(13) "Humanities" means courses that examine the values and cultural heritage that establish the framework for inquiry into the meaning of life. ~~Courses in the humanities may include the language, history, literature, and philosophy of Western and other cultures.~~

~~(10)~~(14) "Mathematics" means courses that provide students with numerical, analytical, statistical, and problem-solving skills.

~~(11)~~(15) "Native student" means a student whose initial college enrollment was at a given institution of higher education and who has not transferred to another institution of higher education since that initial enrollment.

~~(12)~~(16) "Parallel program" means the program of study or courses at one institution of higher education which has parallel courses and comparable objectives as those at another higher education institution, for example, a transfer program in psychology in a community college is definable as a parallel program to a baccalaureate psychology program at a 4-year institution of higher education.

~~(13)~~(17) "Receiving institution" means the institution of higher education at which a transfer student currently desires to enroll.

~~(14)~~(18) "Recommended transfer program" means a planned program of courses, both general education and courses in the major, taken at a community college, which is applicable to a baccalaureate program at a receiving institution, and ordinarily the first half of the baccalaureate degree.

(19) "Reverse transfer agreement" means a statewide agreement whereby up to 45 credits that a student earns at any public four-year higher education institution in the State toward a bachelor's degree are transferrable to any community college in the State for credit toward an associate's degree.

~~(15)~~(20) "Sending institution" means the institution of higher education of most recent previous enrollment by a transfer student at which transferable academic credit was earned.

~~(16)~~(21) "Social and behavioral sciences" means courses that ~~examine the psychology of individuals and the ways in which individuals, groups, or segments of society behave, function, and influence one another~~ are concerned with the examination of society and the relationships among individuals within a society. ~~The courses include, but are not limited to, subjects which focus on:~~

- ~~a) History and cultural diversity;~~
- ~~b) Concepts of groups, work, and political systems;~~
- ~~c) Application of qualitative and quantitative data to social issues; and~~
- ~~d) Interdependence of individuals, society, and the physical environment.~~

~~(17)~~(22) "Transfer student" means a student entering an institution for the first time having successfully completed ~~at another institution~~ a minimum of 12 semester hours *at another institution which is that are* applicable for credit at the institution the student is entering.

.02-1 Admission of Transfer Students to Public Institutions.

A. Admission to Institutions and Programs.

(1) A student attending a public institution who has completed an ~~A.A., A.A.S., or A.S.~~ *Associate's degree or who has completed 56 or more semester hours of credit*, may not be denied direct transfer to another public institution if the student attained a cumulative grade point average of at least 2.0 on a 4.0 scale or its equivalent in parallel courses, ~~except as provided in §A(4) of this regulation.~~ *provided there is space available and, where applicable, the student has met any additional program admission requirements. The receiving institution shall publish application and admission data from the most recent admission cycle on the institution's website.*

(a) If the number of students seeking admission exceeds the number that can be accommodated at a receiving public institution, admission decisions shall be:

- i. Based on criteria developed and published by the receiving public institution; and*
- ii. Made to provide fair and equal treatment for native and transfer students.*

(b) A receiving public institution may require higher performance standards for admission to some programs if the standards and criteria for admission to the program:

- i. Are developed and published by the receiving public institution; and,*
- ii. Maintain fair and equal treatment for native and transfer students.*

(c) If the number of students seeking admission exceeds the number that can be accommodated in a particular professional or specialized program, admission decisions shall be:

- i. Based on criteria developed and published by the receiving public institution; and*
- ii. Made to provide fair and equal treatment for native and transfer students.*

(2) A student attending a public institution who has not completed an A.A., A.A.S., or A.S. degree or who has completed fewer than 56 hours of credit, Associate's degree is eligible to transfer to a public institution regardless of the number of credit hours earned if the student:

- (a) Satisfied the admission criteria of the receiving public institution as a high school senior; and
- (b) Attained at least a cumulative grade point average of 2.0 on a 4.0 scale or its equivalent in parallel courses, and
- (c) Where applicable, the student has met any additional program admission requirements.

(3) A student attending a public institution who did not satisfy the admission criteria of a receiving public institution as a high school senior, but who has earned sufficient credits at a public institution to be classified by the receiving public institution as a sophomore, shall meet the stated admission criteria developed and published by the receiving public institution for transfer.

~~(4) If the number of students seeking admission exceeds the number that can be accommodated at a receiving public institution, admission decisions shall be:~~

- ~~a) Based on criteria developed and published by the receiving public institution, and~~
- ~~b) Made to provide fair and equal treatment for native and transfer students.~~

B. Admission to Programs.

~~(1) A receiving public institution may require higher performance standards for admission to some programs if the standards and criteria for admission to the program:~~

- ~~(a) Are developed and published by the receiving public institution; and~~
- ~~(b) Maintain fair and equal treatment for native and transfer students.~~

~~(2) If the number of students seeking admission exceeds the number that can be accommodated in a particular professional or specialized program, admission decisions shall be:~~

- ~~(a) Based on criteria developed and published by the receiving public institution; and~~

~~(b) Made to provide fair and equal treatment for native and transfer students.~~

~~(3) Courses taken at a public institution as part of a recommended transfer program leading toward a baccalaureate degree shall be applicable to related programs at a receiving public institution granting the baccalaureate degree.~~

~~C. B. Receiving Institution Program Responsibility.~~

~~(1) The faculty of a receiving public institution is responsible for development and determination of the program requirements in major fields of study for a baccalaureate degree, including courses in the major field of study taken in the lower division.~~

~~(2) A receiving public institution may set program requirements in major fields of study which that simultaneously fulfill general education requirements.~~

~~(3) A receiving public institution, in developing lower division course work, shall exchange information with other public institutions to facilitate the transfer of credits into its programs.~~

~~(4) A receiving public institution shall ensure that any changes to program standards and criteria for admission and the transfer of credits maintain the fair and equal treatment of native and transfer students; and are communicated in a timely manner.~~

.04 Transfer of General Education Credit.

A. A student transferring to one public institution from another public institution shall receive general education credit for work completed at the student's sending institution as provided by this chapter.

B. A completed general education program shall transfer without further review or approval by the receiving institution and without the need for a course-by-course match.

C. Courses that are defined as general education by one institution shall transfer as general education even if the receiving institution does not have that specific course or has not designated that course as general education.

D. The receiving institution shall give lower-division general education credits to a transferring student who has taken any part of the lower-division general education credits described in Regulation .03 of this chapter at a public institution for any general education courses successfully completed at the sending institution.

E. Except as provided in Regulation .03M of this chapter, a receiving institution may not require a transfer student who has completed the requisite number of general education credits at any public college or university to take, as a condition of graduation, more than 10-~~16~~ 18 additional semester hours of general education and specific courses required of all students at the receiving institution, with the total number not to exceed 46 semester hours. This provision does not relieve students of the obligation to complete specific academic program requirements or course prerequisites required by a receiving institution.

~~F. A sending institution shall designate on or with the student transcript those courses that have met its general education requirements, as well as indicate whether the student has completed the general education program.~~

F. A Maryland community college will accept 28 - 36 credits of general education as defined in COMAR 13b .06.01.03C 1-5 as completion of the general education requirements at the Community College, without further review or the need for a course-by-course match.

G. All public institutions shall designate on or with the student transcript those courses that have met its general education requirements, as well as indicate whether the student has completed the general education program.

~~G.~~ *H. A.A.S. and A.F.A. Degrees.*

(1) While there may be variance in the numbers of hours of general education required for A.A., A.S., ~~and A.A.S., and A.F.A.~~ degrees at a given institution, the courses identified as meeting general education requirements for all degrees shall come from the same general education course list and exclude technical or career courses.

(2) An A.A.S. or A.F.A. student who transfers into a receiving institution with fewer than the total number of general education credits designated by the receiving institution shall complete the difference in credits according to the distribution as designated by the receiving institution. Except as provided in Regulation .03M of this chapter, the total general education credits for baccalaureate degree-granting public receiving institutions may not exceed 46 semester hours.

~~H.~~ *I. Student Responsibilities. A student is held:*

(1) Accountable for the loss of credits that:

- (a) Result from changes in the student's selection of the major program of study,
- (b) Were earned for remedial course work, or
- (c) Exceed the total course credits accepted in transfer as allowed by this chapter; and

(2) Responsible for meeting all requirements of the academic program of the receiving institution.

.05 Transfer of Other Credit.

A. Transfer of Credit to Another Public Institution.

(1) Courses taken at a public institution as part of a recommended transfer program leading toward a baccalaureate degree shall be applicable to related programs at the receiving public institution granting the degree if successfully completed in accordance with the receiving institution's policies governing native students in the same program.

(2) A student earning an A.A.S. or A.F.A. degree will have his/her credits evaluated in a manner that maximizes the transfer of articulated and elective credit.

~~(1)~~(3) Credit earned at any public institution in the State is transferable to any other public institution if the:

- (a) Credit is from a college or university parallel course or program;
- (b) Grades in the block of courses transferred average 2.0 or higher; and
- (c) Acceptance of the credit is consistent with the policies of the receiving institution governing native students following the same program.

~~(2)~~(4) If a native student's "D" grade in a specific course is acceptable in a program, then a "D" earned by a transfer student in the same course at a sending institution is also acceptable in the program. Conversely, if a native student is required to earn a grade of "C" or better in a required course, the transfer student shall also be required to earn a grade of "C" or better to meet the same requirement.

(5) If the Community College has a request and signed waiver from the student for Reverse Transfer, the 4 year institution must provide an official electronic transcript to the Community College at the College's request with no charge to the student or institution.

B. Unless otherwise specified in an articulation agreement, credit earned in or transferred from a community college is limited to:

(1) 1/2 the baccalaureate degree program requirement, but may not be more than 70 semester hours; and,

(2) The ~~first 2 years~~ equivalent of the first half of the undergraduate education experience.

C. Nontraditional Credit.

(1) The assignment of credit for AP, CLEP, or other nationally recognized standardized examination scores presented by transfer students is determined according to the same standards that apply to native students in the receiving institution, and the assignment shall be consistent with the State minimum requirements.

(2) Transfer of credit from the following areas shall be consistent with COMAR 13B.02.02. and shall be evaluated by the receiving institution on a course-by-course basis *according to the same standards that apply to native students at the receiving institution*:

(a) Technical courses from career programs;

(b) Course credit awarded through articulation agreements with other segments or agencies, *including course credit awarded by articulation with Maryland public secondary schools*;

i. To facilitate the transfer of credits, articulation agreements should be developed in collaboration with all public institutions.

(c) Credit awarded for clinical practice or cooperative education experiences; ~~and~~

(d) Credit awarded for life and work experiences; *and*

(e) *Credit awarded for military training, coursework and education.*

(3) The basis for the awarding of the credit shall be indicated on the student's transcript by the receiving institution.

(4) The receiving institution shall inform a transfer student of the procedures for validation of course work for which there is no clear equivalency. Examples of validation procedures include ACE recommendations, portfolio assessment, credit through challenge, examinations, and satisfactory completion of the next course in sequence in the academic area.

(5) The receiving baccalaureate degree-granting institution shall use validation procedures when a transferring student successfully completes a course at the lower-division level that the receiving institution offers at the upper-division level. The validated credits earned for the course shall be substituted for the upper-division course.

D. Program Articulation.

(1) Recommended transfer programs shall be developed through collaboration between the sending and receiving institutions. A recommended transfer program represents an agreement between the two institutions that allows students aspiring to the baccalaureate degree to plan

~~their programs for seamless transfer.~~ These programs constitute freshman/sophomore level course work to be taken at the community college in fulfillment of the receiving institution's lower division course work requirement.

(2) Recommended transfer programs in effect at the time that this regulation takes effect, which conform to this chapter, may be retained.

.06 Academic Success and General Well-Being of Transfer Students.

A. Sending Institutions.

(1) Community colleges shall encourage their students to complete the associate degree ~~or to complete 56 hours~~ in a recommended transfer program ~~which~~ *that* includes both general education courses and courses applicable toward the program at the receiving institution.

(2) Community college students are encouraged to choose as early as possible the institution and program into which they expect to transfer.

(3) The sending institution shall:

(a) Provide to community college students information about the specific transferability of courses *and programs* to 4-year colleges;

(b) Transmit information about transfer students who are capable of honors work or independent study to the receiving institution; and

(c) Promptly supply the receiving institution with all the required documents if the student has met all financial and other obligations of the sending institution for transfer.

B. Receiving Institutions.

(1) Admission requirements and curriculum prerequisites shall be stated explicitly in institutional publications.

(2) A receiving institution shall admit transfer students from newly established public colleges that are functioning with the approval of the Maryland Higher Education Commission on the same basis as applicants from regionally accredited colleges.

(3) A receiving institution shall evaluate the transcript(s) of a degree-seeking transfer student as expeditiously as possible, and notify the student of the results ~~not later than mid-semester of the student's first semester of enrollment at the receiving institution, if all official transcripts have been received at least within 15-20 working days before mid-semester of the receipt of all official transcripts.~~ The receiving institution shall inform a student of the courses ~~which~~ *that* are acceptable for transfer credit and the courses ~~which~~ *that* are applicable to the student's intended program of study.

(4) *A transfer student shall be provided the same opportunity as a native student to pursue the program and degree requirements that were in effect at the time that the student enrolled at the sending institution provided they have been continuously enrolled and otherwise meet the same requirements of the native student receiving institution shall give a transfer student the option of satisfying institutional graduation requirements that were in effect at the receiving institution at the time the student enrolled as a freshman at the sending institution. In the case of major requirements, a transfer student may satisfy the major requirements in effect at the time when the student was identifiable as pursuing the recommended transfer program at the*

sending institution. These conditions are applicable to a student who has been continuously enrolled at the sending institution.

.07 Programmatic Currency.

- A. ~~A receiving institution~~ *Maryland Public Institutions* shall ~~provide~~ *collaborate to the community college to develop and provide to students* current and accurate information on ~~recommended transferrable programs and courses and the transferability status of courses.~~ *Community college students shall have access to this information.* ~~Maryland Public Institutions shall collaborate to develop and provide to students current and accurate information on transferrable programs and courses.~~
- B. *Upon approval of new baccalaureate programs,* ~~Recommended transfer programs shall be developed with each community college whenever new baccalaureate programs are approved by the degree-granting institution.~~
- C. When considering curricular changes, institutions shall notify each other of the proposed changes that might affect transfer students. An appropriate mechanism shall be created to ensure that both 2-year and 4-year public colleges provide input or comments to the institution proposing the change. Sufficient lead time shall be provided to effect the change with minimum disruption. Transfer students are not required to repeat equivalent course work successfully completed at a community college.

.08 Transfer Mediation Committee.

- A. ~~There is a Transfer Mediation Committee, appointed by Sending and receiving institutions that disagree on the transferability of general education courses as defined by this chapter shall submit their disagreements to the Secretary, who shall appoint a Transfer Mediation Committee to adjudicate the disagreement. Members appointed to the Transfer Mediation Committee which is~~ *are to be* representative of the public ~~4~~ *four-year colleges and universities and the community colleges.*
- B. ~~Sending and receiving institutions that disagree on the transferability of general education courses as defined by this chapter shall submit their disagreements to the Transfer Mediation Committee. The Transfer Mediation Committee shall address general questions regarding existing or past courses only, not individual student cases, and shall also address questions raised by institutions about the acceptability of new general education courses. As appropriate, the Committee shall consult with faculty on curricular issues.~~
- B. *The Transfer Mediation Committee shall address general education issues at the course or curricular level, not individual student cases. As appropriate, the Committee shall consult with faculty on curricular issues.*
- ~~C.~~ *The findings of the Transfer Mediation Committee are considered binding on both parties.*

Administrative History

Effective date: December 4, 1995 (22:24 Md. R. 1901)

Regulation .02B amended effective July 1, 1996 (23:13 Md. R. 946)

Regulation .02-1 adopted effective April 6, 1998 (25:7 Md. R. 528)

Regulation .03 amended effective July 1, 1996 (23:13 Md. R. 946)

Regulation .05A amended effective July 1, 1996 (23:13 Md. R. 946)



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Anwer Hasan
Chairperson

James D. Fielder, Jr., Ph. D.
Secretary

MEMORANDUM

DATE: June 16, 2016

TO: Maryland Higher Education Commission

FROM: Finance and Administration **STAFF:** Geoffrey F. Newman
David S. Beard

SUBJECT: Proposed Adoption on Regulations: Amendments to COMAR 13B.07.04 - Construction and COMAR 13B.07.05 - Space, Community Colleges.

The purpose of this memorandum is to ask the Commission to approve for publication in the Maryland Register amendments to the Code of Maryland Regulations 13B.07.04 and 13B.07.05, Community Colleges, to reflect corrections, changes and updated practices in meeting the regulatory standards for compliance in these sections.

In accordance with the Regulatory Review and Evaluation Act, Maryland community college business officers, research analysts, facilities administrators, planners, executives and members of the Maryland Association of Community Colleges (MACC), as well as analysts representing the Maryland Department of Budget & Management (DBM), the Maryland Department of General Services (DGS), the Maryland Department of Planning (MDP) and the Maryland Higher Education Commission (MHEC), were involved in the substantive review and comments process. All State agencies were notified in the Maryland Register and on the Secretary of State's Division of State Documents website and invited to participate in the review and comment process.

Representing Maryland's public community colleges, MACC established a steering committee to organize and coordinate the review process and to develop and submit a report of its findings to MHEC for review and approval. The findings and proposed amendments address and satisfy four review criteria:

1. Do the regulations continue to be necessary for the public interest?
2. Do the regulations continue to be supported by statutory authority and judicial opinion?
3. Are the regulations obsolete or otherwise appropriate for amendment or repeal?
4. Are the regulations effective in accomplishing their intended purpose?

To promote and ensure alignment with best practices, Commission staff believes the proposed amendments, as indicated in the attached draft, should be adopted. If approved for publication by

the Commission, these regulations will be submitted to the Administrative, Executive and Legislative Review (AELR) Committee for review for at least fifteen (15) days before they are submitted to the Maryland Register for publication. The regulations will undergo a thirty day comment period and will return to the Commission for final adoption.

RECOMMENDATION: It is recommended that the Maryland Higher Education Commission approve for publication the attached proposed amendments to COMAR 13B.07.04 and COMAR 13B.07.05, as presented, and authorize MHEC's attorneys to approve non-substantive revisions as necessary to conform the proposed regulations to the stylistic and formatting requirements of AELR and of the Division of State Documents.

Title 13B MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 07 COMMUNITY COLLEGES

Chapter 04 Construction Procedures

Authority: Education Article, §11-105, and Title 16, Annotated Code of Maryland

.01 College Facilities.

A. A college shall:

(1) Submit to the Commission for review and comment a proposal for any capital construction project, regardless of the source of the funds, in accordance with guidelines and procedures required by the Commission in the Maryland Community College Facilities Manual;

(2) In submitting a proposal for a project for which the college is not eligible or does not seek State participation, indicate:

(a) Why additional space beyond current guidelines is necessary, if applicable; and

(b) How the space will be used.

~~(c) The estimated life cycle impact of the proposed facility on the operating costs of the college;~~

(3) Before submitting educational specifications for new capital projects, submit to the Commission a letter of intent and program proposal, in accordance with COMAR 13B.02.02, for any new instructional program to be housed in the proposed facility.

B. The Commission shall establish annually:

(1) A revised capital construction project priority list for purposes of State participation; and

(2) Enrollment projections to be used by the college to prepare capital construction projects.

C. For purposes of determining the statutory limit on State financial participation in the college capital construction projects, the proposed capacity of the college in number of students shall be the approved projected 10-year full-time equivalent enrollment as adopted by the Commission.

D. A college may not enter into an agreement to sell, lease, transfer, or otherwise dispose of real property in which the State has participated without the prior approval of the Commission and the subsequent approval of the Board of Public Works.

.02 Facilities Master Plan (Includes Baltimore City Community College).

A. Each college shall develop and submit by February 1 of each year a facilities master plan or ~~addendum~~ *an update to the current facilities master plan* which supports the college's role and mission. The plan shall cover a period of not less than 10 years. Colleges should consider developing 20-year land use plans.

B. A college should regularly review the college's facilities master plan. The plan shall be updated every ~~5~~ **10** years or whenever major changes occur in the role and mission statements or in other plan components which have significant facilities implications.

C. The facilities master plan shall include:

(1) An executive summary;

(2) A statement of the college's role and mission as described in §D of this regulation;

(3) Assessment and analysis of existing land and facilities and planning assumptions as described in §E of this regulation;

(4) Specific plans to meet identified needs, including:

(a) Land use, acquisitions, and divestiture plans;

(b) Building use;

(c) Restoration of facilities to satisfactory physical condition, including infrastructure;

(d) Need for renovations to meet programmatic standards, to provide more appropriate support for proposed uses, or to provide access for persons with disabilities;

(e) Vehicular and pedestrian circulation;

(f) *Bike path plan;*

(g) Sustainability;

(h) Utilities extensions and improvements;

(i) Long-range telecommunications plan needs which address the future requirements of the college for voice, data, video, and radio;

(j) New construction;

(k) A site development plan; and

(l) An approach for updating the plan;

(5) Details of plans for all projects in the plan ~~prepared under Plan Maryland and~~ *should consider the Maryland Department of Planning Growth and Conservation Criteria and map; Goals and Objectives and Guidelines for Capital Budgeting;* and

(6) An implementation strategy, including:

- (a) A summary of individual projects with title, brief description, and projected cost in constant dollars;
- (b) Recommended sequencing of projects including relative urgency of need and constraints which require that certain projects precede certain other projects; and
- (c) The impact of implementation and consequences of non-implementation on educational programs, enrollments, and operating costs.

D. Statement of the College's Role and Mission.

(1) This statement shall describe the most significant characteristics of the college which impact upon the college's facilities requirements, and shall be consistent with the college's approved role and mission statement. The statement shall, at a minimum, address the characteristics in §D(2) and (3) of this regulation.

(2) Enrollment information shall include:

- (a) Overall size and composition of the student population;
- (b) Enrollment by level and division and other significant characteristics, such as part-time population; and
- (c) Enrollment projections, which shall be for the life of the plan, based upon the enrollment projections approved by the Commission.

(3) Characteristics to be addressed also include:

- (a) Number of faculty and staff supporting implementation of the college role and mission;
- (b) Student/faculty ratios and class sizes;
- (c) Array of approved academic programs existing and projected during the life of the plan;
- (d) Unique institutional characteristics; and
- (e) Significant new initiatives planned which have facilities implications.

E. Assessment and Analysis of Existing Land and Facilities and Planning Assumptions.

(1) All proposed new campuses or new site development shall be assessed and analyzed. The college shall use the Maryland Higher Education Commission site analysis and scorecard when evaluating sites for a new campus. This document is available from the Commission. The physical characteristics of the campus shall be described as well as the changes which are required to meet the objectives in the college's stated role and mission.

(2) All proposals for new campuses, new site development, and new facilities projects shall conform to ~~Plan Maryland Goals and Objectives and Guidelines for Capital Budgeting~~ *consider the Maryland Department of Planning Growth and Conservation Criteria and map.*

(3) At a minimum, the assessment and analysis required by this section shall include the following elements:

- (a) A description of existing facilities and acreage;

- (b) An assessment of the physical condition of buildings or an independent verification of condition assessments;
- (c) An assessment of the functional adequacy of buildings, including discussion of the adequacy and appropriateness of space to support the activities of the faculty, students, and staff using the facilities;
- (d) Utilization of existing facilities;
- (e) Assessment of the physical condition and functional adequacy of the infrastructure;
- (f) Adequacy of existing land;
- (g) Capacity for future development;
- (h) Assessment of environmental compliance;
- (i) Space guideline calculations to provide one estimate of the space needed by type; and
- (j) Identification of specific activities which need to be accommodated on the campus over at least the next 10 years.

F. Review Process for Facilities Master Plans.

(1) A board of trustees approved new or updated facilities master plan shall be submitted concurrently to the Commission, the Department of Budget and Management, the Department of General Services, and the Maryland ~~Office~~ *Department* of Planning.

(2) The Commission shall review the plan with specific attention to:

(a) ~~Conformity with Plan Maryland Goals and Objectives and Guidelines for Capital Budgeting~~ *Consideration of the Maryland Department of Planning Growth and Conservation Criteria and map;*

(b) An assessment of how the plan supports the role and mission of the college;

(c) The current and projected enrollment and staff (full-time day equivalent students, full-time equivalent students, weekly student contact hours, full-time equivalent faculty, full-time equivalent staff) in relation to consistency with the approved role and mission statements and consistency with the approved Commission enrollment projects;

(d) The array of academic programs on which the plan is based for consistency with the approved role and mission statement;

(e) Space guideline calculations and proposed deviations from the guidelines;

(f) Library construction with regard to:

(i) New technologies in the areas of electronic information management, storage, and retrieval;

(ii) *Library commons;*

(iii) Library automation; and

(iv) New forms of book storage such as compact shelving;

(g) The adequacy of facilities contained in the plan to accommodate the existing and proposed academic and support requirements at the college, including appropriate planning for telecommunications infrastructure and libraries; and

(h) Consistency with the Statewide Capital Improvements Plan.

(3) The comments of the Department of Budget and Management shall focus primarily on the review of space guidelines analysis, physical planning considerations, and cost/benefit considerations, and may not duplicate the Commission's analysis of enrollment and staffing projections and academic proposals.

(4) The Department of General Services and the Maryland ~~Office~~ *Department* of Planning shall concurrently submit questions and concerns to the Commission and the Department of Budget and Management. The Commission shall forward its questions and concerns to the Department of Budget and Management to facilitate a consolidated response to the college from the Commission and the Department of Budget and Management. The college shall provide a response addressing the questions and concerns and may choose to modify its plan as a result of the issues raised. If appropriate, a meeting including the review agencies and the college may be held to assure a coordinated approach to completing the review process.

(5) Final action shall consist of one of the following decisions:

(a) Unconditional endorsement of the plan as the basis for further development of the college involved;

(b) Conditional endorsement of the plan as the basis for further development of the college, with the conditions explicitly stated; or

(c) Return of the plan, with a request for resubmission with changes.

.03 Five-Year Capital Improvements Program/Annual Capital Budget Request Submission.

A. The purpose of the Five-Year Capital Improvements Program and Annual Capital Budget Request process is to identify the capital improvement needs by project and by year for the 5-year period, to develop a Statewide plan of action for college capital improvements, and to establish priorities for the implementation of the plan.

B. A college shall submit, by July 1 of each year, a 5-year capital improvements program. The first year of the program shall constitute the college's annual capital budget request.

C. Projects identified in the program shall be consistent with ~~Plan Maryland Goals and Objectives and Guidelines for Capital Budgeting and~~ the approved facilities master plan *and should consider the Maryland Department of Planning Growth and Conservation Criteria and map*. The program shall be updated annually to reflect actual capital appropriations and any changes affecting project priorities within the program, as well as to add an additional year.

D. Each year, the Commission shall establish a set of priority categories to guide colleges in the development of the 5-year capital improvements program and the annual capital budget request. The Commission shall assess requested projects using these priority categories.

E. Components of the 5-year capital improvements program of a college shall include:

(1) Updated space guideline calculation tables;

(2) A 5-year summary of projects;

- (3) Projects included in the annual budget request;
- (4) Projects planned for the subsequent 4 years; and
- (5) A brief description and justification of each project.

F. Review Process for Five-year Capital Improvements Program.

(1) ~~A facility program statement is required for each project to be included in the 5-year capital improvements program.~~ *A facility program statement is required for each project to be considered for funding in the capital budget.* The program statement consists of Part I/project justification and Part II/technical specifications. *The college shall submit the Part I and Part II to the Commission, the Department of Budget and Management, the Department of General Services and the Department of Planning no later than May 1 of the year that the college is requesting funding.* A college shall submit a Part I/project justification by May 1 of the year in which the project is to be included in the 5-year capital improvement program for the first time. ~~The Part I/project justification shall be submitted to the Commission.~~

(2) The Commission review of the Part I/project justification shall focus on:

(a) Project consistency with college facilities master plans;

(b) Project justification with regard to the goals of the Statewide Plan, consistency with the college's role and mission, the programmatic needs of the college, the overall space needs of the college, and the adequacy and physical condition of existing facilities;

(c) ~~Conformity with Plan Maryland Goals and Objectives and Guidelines for Capital Budgeting~~ *Consideration of the Maryland Department of Planning Growth and Conservation Criteria and map*; and

(d) Prioritization of the project within the Commission's Statewide Five-Year Capital Improvements Program.

(3) The Part II/technical specifications shall be submitted by May 1 of the year in which the design funds are requested. The Part II/technical specifications review shall be conducted by the Department of Budget and Management, the Department of General Services, and the Maryland ~~Office~~ *Department* of Planning.

(4) If the timing of the project is such that design funds are being requested in the same year in which the project will first appear in the 5-year capital improvement program, then the Part I/project justification and the Part II/technical specifications shall be submitted simultaneously on May 1 of the year in which the request for design funds is submitted.

(5) As indicated in §B of this regulation, the first year of the 5-year capital improvements program constitutes a college's annual capital budget request. The Commission shall rank all projects, compile a system-wide request, and recommend an integrated annual capital budget to the Governor and the Legislature.

.04 Site Selection.

A. The general location for each proposed college or addition to a college shall be selected by the board of trustees for the college concerned, and submitted for the approval of the Commission and the Board of Public Works through the Department of General Services, which shall seek comments and recommendations from the Maryland Office of Planning.

B. The comments and recommendations shall be attached to and made a part of the document submitted to the Board of Public Works. Selection and purchase of a specific site shall be in accordance with this chapter.

C. Specific Site Selection Procedure.

- (1) The board of trustees of the college shall study the available sites and have prepared a report that ranks the available sites in order of preference. Technical data, including proximity within ~~Plan Maryland~~ *Maryland Department of Planning Growth and Conservation* planning areas and a site check list, shall support this ranking.
- (2) The board of trustees of the college may, at its discretion, authorize obtaining the following on any of the available sites as the board of trustees considers appropriate:
 - (a) Surveys;
 - (b) Appraisals;
 - (c) Test borings; and
 - (d) Title searches.
- (3) State participation in these technical studies shall be limited to the study of one site.
- (4) The college shall identify the specific tentative site selected and advise the Secretary of its selection.
- (5) Material supporting the selection of the specific site in §C(4) of this regulation, including an analysis of alternative sites which were considered, shall be submitted to the Secretary. The Secretary shall submit these documents to the Department of General Services and the Maryland ~~Office~~ *Department* of Planning for their confidential review and findings.
- (6) The board of trustees of the college, when it considers it desirable, upon written petition from the citizenry, or upon request by the county government, may conduct a public hearing. If a public hearing is held, formal minutes shall be taken and copies of these minutes shall be included as part of a formal submission to the Commission.
- (7) The approval of a specific site shall be made in accordance with applicable local and State statutes.
- (8) The Secretary shall notify the college of the responses of the Department of General Services and the Maryland ~~Office~~ *Department* of Planning.
- (9) After the notification in §C(8) of this regulation, the board of trustees of the college shall authorize negotiations with the owner or owners and the obtaining of an option or options for a particular site purchase, contingent upon the approval of the Board of Public Works.
- (10) The college shall request that the Secretary obtain the approval of the Commission to purchase the specific site. The Commission shall forward its recommendation together with the option or options, and two independent appraisals for each parcel, to the Board of Public Works through the Department of General Services for its final approval of the specific site.
- (11) When it is not possible to obtain an option on a specific site or portion of a site, the board of trustees shall request the Secretary to inform the Board of Public Works that an option is not obtainable but that the board of trustees plans to proceed to acquire the specific site or portion of the site through other means. If condemnation is subsequently necessary, the board of trustees shall authorize that action and inform the Secretary.
- (12) The Board of Public Works is not bound to approve State participation in any judgment rendered by a jury or court in condemnation proceedings.

.05 Obtaining Conditional Allocation for State Funds (Not Applicable to Baltimore City Community College).

A. When a county desires State financial assistance for capital projects, the board of trustees for the college concerned shall, by resolution of the governing body of the county, request the filing of the necessary petition with the Commission.

B. When the governing body of the county approves the request of the board of trustees for the college and wishes to apply for a grant under the applicable construction loan act, the governing body shall file with the Commission a petition including the detailed description of the proposed project.

.06 Project Administration (Not Applicable to Baltimore City Community College).

A. The Department of General Services and the Department of Budget and Management are responsible for certain aspects of monitoring and administering capital projects. A college shall comply with the specific requirements of these agencies.

B. Architect Selection and Design Stage.

(1) The Secretary shall identify the source or sources of State funds and recommend the allocation for design. Before the Secretary's recommendation, the college shall submit a resolution and petition to the Secretary to request funds.

(2) During the design stages of a project, the college shall furnish net assignable space tabulation sheets to the Commission. After the space has been initially approved, justification for a subsequent increase of 10 percent or more shall also be provided.

C. Procurement.

(1) The Secretary shall identify the source or sources of State funds and recommend the construction allocation before the Board of Public Works approval of the contract award. The Secretary's recommendation shall be based on the availability of bond funds. The Secretary's determination shall be transmitted to the Department of Budget and Management and the Department of General Services.

(2) Upon award of a construction contract and on a quarterly basis after that, the college board of trustees shall provide to the commission cash flow projections. The cash flow projections shall be adjusted as the project progresses and as significant changes are made. These projections form the basis of the Commission's request for the issuance of bonds to support the payment of the State's share.

D. Project Management.

(1) The disbursement of State matching funds by the Department of General Services shall be made in accordance with applicable State policies. The local share of a project shall be expended before any expenditure of the State share.

(2) During the construction period, the Commission and the Department of General Services shall jointly maintain records on project status, cash flow projections, and bond funds.

E. Detailed agency functions and responsibilities are outlined in the current edition of the Commission's Facility Manual for Community Colleges.

Effective date: January 26, 1998 (25:2 Md. R. 77)

Regulation .02 amended effective March 31, 2014 (41:6 Md. R. 380)

Regulation .02A amended effective July 23, 2001 (28:14 Md. R. 1323)

Regulation .03 amended effective March 31, 2014 (41:6 Md. R. 380)

Regulation .03F amended effective July 23, 2001 (28:14 Md. R. 1323)

Regulation .04C amended effective March 31, 2014 (41:6 Md. R. 380)

Title 13B MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 07 COMMUNITY COLLEGES

Chapter 05 Space Allocation Guidelines

Authority: Education Article, Title 11 and Title 16, Annotated Code of Maryland

.01 General Principles.

A. This chapter provides guidelines for determining space needs that are eligible for capital funding by the State. The space allocation guidelines delineated in this chapter are to be used to compute suggested maximum allowances for a campus for each type of space in the National Higher Education General Information Survey (HEGIS) Space Classification System. These guidelines may not be used to design a specific space or facility. Any space architecturally designed, however, shall fall within the computed needs developed in Regulation .03 of this chapter.

B. These regulations are not fixed standards and may be subject to modifications when justified as reflected in the Maryland Higher Education Commission's Community College Facilities Manual. The regulations shall be used by the Department of Budget and Management, the Department of General Services, the Maryland Higher Education Commission, and the Board of Public Works in evaluating both long-range planning and individual construction projects.

C. Normally, projects shall be planned using a 10-year enrollment projection certified by the Secretary of Higher Education.

D. On-campus full-time day (8 a.m. to 5 p.m.) students and part-time day students shall be equated to full-time day equivalent (FTDE) students. This count, used in conjunction with space factors, shall be the major basis for determining space needs. Only students attending the campus for which space needs are being computed shall be counted.

E. The FTDE count for each college shall be certified by the Secretary.

F. On-campus daytime weekly student contact hours (WSCH) shall be used to compute classroom and laboratory space needs. The WSCH shall be certified by the Secretary of Higher Education. ~~Except for remedial or other prerequisite courses,~~

G. Eligible noncredit contact hours are not may be included in computing space, and only "on campus" hours shall be included. When reporting eligible non-credit contact hours, report them on the MHEC Form CC-S6.

~~G~~ H. Enrollment projections to be used by a college in applying these regulations should be consistent with the approved role and mission statement for that college. The enrollment projection should be that which is contained in the facilities master plan most recently endorsed by the Commission.

~~H~~. *I*. Office space is based on the count of full-time equivalent faculty, full-time administrators, full-time librarians, full-time staff, and student officers as certified to by the Secretary.

~~I~~. *J*. The space inventory to be used by a college in applying these regulations to determine eligibility for State funding is the total amount of on-campus space minus space contained in temporary structures. Temporary structures are those with an anticipated useful life of less than 15 years or those that were not intended to occupy space on campus for more than 15 years from original construction.

~~J~~. *K*. The space inventory is recorded in terms of net assignable square feet (NASF). The space allowances computed under these guidelines are also recorded as NASF.

.02 Capital Guidelines.

Space allocation guidelines for college campuses are as follows:

Room Use Category		Space Factor by Size of FTDE		
HEGIS Code	Space	Base	3000 & Under	3001 & Up
100	Classroom Facilities	WSCH1	1.50	1.11
110	Classroom			
200	Laboratory Facilities	WSCH2	7.00	5.83
210	Class Laboratory			
220	Open Laboratory	FTDE	4.20	4.20
300	Office	FTEF3	166.00	166.00
		FT Staff		
		Student		
		Offices ⁴		
320	Testing & Tutoring Centers	FTDE ⁵	Core of 1,500 NASF and 0.5 NASF/FTDE in excess of 1,500 FTDE.	
400	Library			
410	Study/Seating	FTDE	6.25	6.25
420	Stack	BVE6	.10-	.10+
400— 455	Processing	Percent of 420 with minimum of 1,200 NASF ⁷	.40	.40
500	Special Use			
520	Physical Education— Pool, Gym, and Fitness/Wellness Center	FTDE ⁸	Core of 28,000 NASF (consisting of 14,000 for a gym, 8,000 for a pool, and 6,000 for a fitness center) and 10 NASF/FTDE in excess of 1,500 FTDE and 6,000 NASF of service space (consisting of 3,500 for lockers and 2,500 for storage).	
530	Audiovisual, Radio,	FTDE	Core of 1,600 NASF and 0.8 NASF/FTDE in	

	TV		excess of 1,500 FTDE up to 3,000 FTDE and 2 NASF/FTDE in excess of 3,000 FTDE.	
580	Greenhouse	Campus	Core of 1,000 NASF	
600	General Use			
610	Assembly	FTDE	Core of 12,000 NASF and 2 NASF/FTDE in excess of 1,500 FTDE.	
620	Exhibition	FTDE	Core of 1,500 NASF and 0.5 NASF/FTDE in excess of 1,500 FTDE.	
630	Food Facilities	PHC9	10.2	8.4
650	Lounge Facilities	PHC10	3.0	3.0
660	Merchandising	FTDE	Core of 1,600 NASF and 0.5 NASF/FTDE in excess of 1,500 FTDE.	
680	Meeting Space	FTDE	Core of 6,000 NASF	Core of 8,000 NASF
700	Support			
710	Data Processing, Telecomm	FTDE ¹¹	Core of 2,500 NASF for the first 4,000 FTDE and 0.75 NASF/FTDE beyond 4,000 FTDE.	
720— 745	Shops, Storage, Vehicle Storage, and Repair	Total Campus Allowance minus this category ¹²	0.04	0.04
750	Central Service	FTDE	Core of 4,000 NASF for the first 4,000 FTDE and 1 NASF/FTDE beyond 4,000 FTDE.	
760	Hazardous Materials	Total Storage	2% of existing inventory in Room Use Categories 720—745.	
800	Health Care	FTDE	Core of 500 NASF and 0.2 NASF/FTDE in excess of 1,500 FTDE.	

¹WSCH-Lecture. Weekly student contact hours for on-campus day students in credit courses and eligible noncredit courses where instruction is lecture.

²WSHC-Lab. Weekly student contact hours for on-campus day students in credit courses and eligible noncredit courses where instruction is lab.

³FTEF—Full-time equivalent faculty, including librarians, plus 25% of all part-time faculty.

⁴1,120 square feet maximum for student offices.

⁵FTDE—Full-time day equivalent is total credit hours taught on campus between 8 a.m. and 5 p.m. divided by 15 credit hours.

⁶BVE—Bound volume equivalent which is 20,000 BVE for the first 1,000 FTE and 1,000 BVE for every 100 FTE above 1,000.

⁷A minimum allowance is needed for cataloging, binding, and maintenance regardless of collection size.

⁸Minimum size of gym is 14,000 NASF for activity space, 8,000 NASF for pool, 6,000 NASF for fitness space, 3,500 NASF for lockers, and 2,500 NASF for storage.

⁹PHC—Planning headcount is 50% of FTDE for on-campus credit and eligible noncredit courses plus FTEF and FT Staff and includes space for seating, preparation, and storage.

¹⁰Allowance includes quiet, study, and building lounges.

¹¹FTDE for on-campus credit courses and eligible noncredit courses.

¹²Allowance related to required service space on campus total square footage.

¹³ *Computed need in any larger institutional size category may not be less than the maximum amount for any smaller institutional size category.*

.03 Capital Guidelines Factor Development.

A. The elements for computing the space factor used for determining space needs for classrooms and laboratories are the net assignable square feet per student station (NASF/SS), the number of hours in a 45-hour week the space shall be used (hours/week), and the percent of student occupancy of the room when space is in use. These elements are expressed in the formula: Space Factor = NASF/SS divided by (hours/week X percent of occupancy)

B. 100—Classroom.

(1) For the smaller colleges, the guideline was computed on the basis of the following formula:

- (a) Assume 18 NASF—average station size;
- (b) Assume 20 hours per week—target room utilization rate;
- (c) Assume 60 percent—expected seat occupancy rate;
- (d) 18 divided by (20 X 0.60) yields 1.5.

(2) For the large colleges, the following formula was used:

- (a) Assume 20 NASF—average station size;
- (b) Assume 27 hours per week—target room utilization rate;
- (c) Assume 66.7 percent—expected seat occupancy rate; and
- (d) 20 divided by (27 X .667) yields 1.11.

C. 200—Laboratory.

(1) For the smaller colleges, the guideline was computed on the basis of the following formula:

- (a) Assume 50 NASF—average station size for natural and social science labs;
- (b) Assume 115 NASF—average station size for technical and career labs;

(c) Assume 80 percent of lab contact hours are generated in natural and social sciences labs, and 20 percent in technical and career labs;

(d) Assume 15 hours per week—target room utilization rate;

(e) Assume 60 percent—expected seat occupancy rate;

(f) For natural and social sciences labs, 50 times 0.80 divided by (15 X 0.60) yields 4.45;

(g) For technical and career labs, 115 times 0.20 divided by (15 X 0.60) yields 2.55; and

(h) The sum of 4.45 and 2.55 is 7.0.

(2) For the larger colleges, the guideline was computed in the same manner except that the target room utilization rate was raised to 18 hours per week.

D. 300—Office.

(1) The allowance of 166.0 NASF per individual requiring office space is adopted to cover all space required for faculty offices, administrative offices, clerical offices, student offices (1,120 square feet maximum), library offices, file rooms, mimeograph rooms, vaults, conference room, waiting rooms, interview rooms, closets, private toilets, record rooms, and office supply rooms. Centralized duplicating or print shops are not included.

(2) 320—A core space of 1,500 NASF and .05 NASF/FTDE in excess of 1,500 FTDE.

E. 400—Study.

(1) This category includes library and learning resource centers. Seating station size is 25 NASH which, when multiplied by seating for 25 percent of the FTDE, produces a seating factor of 6.25 (25 X 0.25).

(2) The size of the stack space is determined by allowing 0.1 NASF per bound volume equivalent (BVE) with a library of 20,000 BVE recommended for the first 1,000 FTE and 1,000 BVE per 100 FTE after that, although no ceiling on volume count is mandatory.

(3) The processing and service spaces are determined as a group by taking 40 percent of the stack space. A minimum of 1,200 NASF is needed for service regardless of collection size.

(4) The total space for the library is found by adding the space computed for seating, stack, and service.

F. 500—Special Use.

(1) 520—Physical Education. A core of 28,000 NASF (consisting of 14,000 for a gym, 8,000 for a pool, and 6,000 for a fitness center) and 10 NASF/FTDE in excess of 1,500 FTDE and 6,000 NASF of service space (consisting of 3,500 for lockers and 2,500 for storage).

(2) 530—Audiovisual, Radio, TV. A core allowance of 1,600 NASF assumes that each campus will have space for audio/TV electronic distribution equipment racks and panels (600 NASF), equipment and materials storage and circulation area (600 NASF), and a maintenance workshop and technician area (400 NASF). The additional 0.8 NASF/FTDE in excess of 1,500 recognizes that larger campuses may require more space for specialized productions.

(3) 580—Greenhouse. Assumes that greenhouses supporting the instructional program in biology require a minimum amount of space regardless of the size of the college.

G. 600—General Use.

(1) 610—Assembly. A core of 12,000 NASF and 2 NASF/FTDE in excess of 1,500 FTDE.

(2) 620—Exhibition. A core space of 1,200 NASF is provided for the first 1,500 FTDE. Regardless of campus size, a minimum amount of space is provided for exhibition of materials, works or art, artifacts, etc. Additional space is provided for campuses larger than 1,500 FTDE in recognition of specialized program offerings and increased demand.

(3) 630—Food Facilities. This factor is based upon the potential number of users to be served, type of service to be used, number of turnovers, preparation methods, commuter implications, and storage. Space is to be provided for 50 percent of the FTDE students, FTE faculty, and FT staff. Allowance is for 15 NASF per seat for dining, 3 NASF per seat for serving, a turnover of 3:1 per meal, 70 percent of dining and serving allowance for campuses 3,000 FTDE and under, and 40 percent of dining and serving allowance for campuses 3,001 FTDE and over.

(4) 650—Lounge Facilities. This factor is based upon the potential numbers of users. Included are primary areas in any student center (game lounge, quiet lounge, study lounge as well as building lounges).

(5) 660—Merchandising. A core allowance is provided for basis space for storage display of textbooks and academic supplies and materials as well as sales space for a variety of student convenience and interest items. Space beyond 1,500 FTDE allows for increases in the size of student body growth. Storage and backspace requirements grow at a disproportionate rate because increases in the size of the college produce variety in program and instructional offerings that produce a variety in book titles required to support curricula.

(6) 680—Meeting Space. A core of 6,000 NASF for FTDE of 3,000 or less and a core of 8,000 NASF for FTDE 3,001 and above.

H. 700—Support.

(1) 710—Data Processing. Allows for average requirements for computer centers and necessary peripherals and processing space. Excluded from this space are instructional computing spaces which are within the HEGIS 200 category. Also, central control monitoring systems are excluded.

(2) 720—745 Shops, Storage, Vehicle Storage and Repair. Assumption is that the amount of building space on campus and the number of vehicles to be stored/maintained has a direct relationship to the amount of required service space.

(3) 760—Hazardous Materials. An allowance of 2 percent of the existing inventory in room use categories 720—745 is used to determine storage space requirement.

I. 800—Health Facilities. The factor provides a minimum space allocation as well as the opportunity for expansion at larger colleges. Space for infirmaries and health clinics only for students is included in this factor.

.04 Outdoor Facilities.

A. Regular Parking. The allowance is 300 square feet per car and the number of spaces is based upon the following:

(1) 75 percent—full-time faculty;

(2) 75 percent—staff;

(3) 75 percent—full-time day equivalent for on-campus credit and eligible noncredit courses; and

(4) 2 percent—visitors (2 percent of total authorized spaces).

B. Handicapped Parking. The parking stall shall be 9 feet wide with a 4-foot wide pedestrian space between each other stall reserved for the handicapped. These spaces shall be in addition to those identified as regular parking. Total reserved spaces shall conform to the following:

<i>Total Parking Spaces on Lot</i>	<i>Required Minimum Number of Handicapped Accessible Spaces</i>
Up to 25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2 percent of total
over 1,000	20 + 1 for each 100 over 1,000

C. Outdoor Physical Education and Recreational Facilities. Outdoor physical education and recreational facilities shall be based upon 100 square feet per headcount day student and justified by program requirements with a minimum of the following, if justified:

(1) Six tennis courts;

(2) Two fields, with a total of 300,000 square feet, one of which may have a track consisting of six lanes with an eight-lane straight-away.

Effective date: January 26, 1998 (25:2 Md. R. 77)

Regulation .01 amended effective April 15, 2002 (29:7 Md. R. 621)

Regulation .02 repealed and new Regulation .02 adopted effective April 15, 2002 (29:7 Md. R. 621)

Regulation .03 amended effective April 15, 2002 (29:7 Md. R. 621)

Regulation .04 amended effective April 15, 2002 (29:7 Md. R. 621)



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Anwer Hasan
Chairperson

James D. Fielder, Jr., Ph.D.
Secretary

MEMORANDUM

DATE: June 16, 2016

TO: Maryland Higher Education Commissioners

FROM: Donna Thomas, Director

SUBJECT: Proposed Approval of Student Financial Assistance Program Guidelines–
Residency

The purpose of this memorandum is to request approval for proposed changes to the Office of Student Financial Assistance guidelines governing the requirements of State residency. The Maryland Higher Education Commission last revised the guidelines on June 18, 2008.

The reason for the amendments of the guidelines is due to the recently implemented audit review process performed by the Office of Student Financial Assistance (OSFA), whereby MHEC must audit institutions that participant in the administration of State grants to ensure the integrity of the awards.

It is important to note that, prior to the amendments of OSFA's guidelines residency has always been a self-reported field by the student and then verified by the institution. Moreover, the proposed amendments are necessary to ensure continuity in State financial aid programs across all institutions.

RECOMMENDATION: It is recommended that the Maryland Higher Education Commission adopt the proposed guideline revisions as drafted for the Student Financial Assistance Programs.

MARYLAND HIGHER EDUCATION COMMISSION

OFFICE OF STUDENT FINANCIAL ASSISTANCE

GUIDELINES
FOR
STUDENT FINANCIAL ASSISTANCE PROGRAMS

~~APPROVED: June 18, 2008~~
Revised June 16, 2016

MARYLAND HIGHER EDUCATION COMMISSION

Office of Student Financial Assistance
Guidelines for Student Financial Assistance Programs

AUTHORITY

These guidelines are provided to establish general rules and definitions for all student financial assistance programs administered by the Office of Student Financial Assistance Title 18 of the Education Article, Annotated Code of Maryland and to clarify the intent of pertinent federal general provisions governing student assistance program administration under federal Title IV in the Higher Education Act of 1965, as amended (20 U.S.C. §1070a-1-6).

A. PURPOSE

The Office of Student Financial Assistance shall have the following purposes:

1. to administer the scholarship and tuition assistance programs under Title 18;
2. to issue and disseminate public information about these scholarship programs;
3. to regulate the form and submission of applications for scholarship and tuition assistance under this title;
4. to analyze the financial need of each applicant for a scholarship for which need is a consideration, utilizing a uniform method;
5. to establish criteria for selection of recipients according to statutory requirements;
and
6. to administer federal programs of scholarships or grants to students or institutions.

B. SCOPE

The Office of Student Financial Assistance administers regulations and guidelines that apply to specific financial aid programs. If a provision in these guidelines is also, addressed in program specific regulations or guidelines, the provision in the programs specific regulations or guidelines takes precedence.

CB. DEFINITIONS

The following terms have the meanings indicated.

1. "Academic year" means a period of time in which a full-time student is expected to complete the eligible institution's requirement of academic progress of at least:
 - a. Two semesters, two trimesters, or three quarters; or
 - b. Nine hundred clock hours.
2. "Office" or "OSFA" means the administrative department of the Maryland Higher Education Commission which manages the State financial aid programs.
3. "Clock hour" means the equivalent of at least 50 minutes in a:
 - a. Class, lecture or recitation; or
 - b. Faculty supervised laboratory, shop training, or internship.
4. "Commission" means the Maryland Higher Education Commission.
5. "Competitive examination" means the SAT I or the ACT .
6. "Cost of attendance" means reasonable educational expenses as calculated by the OSFA which may include tuition and fees, books and supplies, room and board or living expenses, miscellaneous personal expenses, and transportation costs for the academic period of aid application.
7. "Dependent student" means, in general, a student who is financially dependent upon his or her parents or other individuals. For State need-based scholarship programs, the official definition for dependent student shall be the one listed under 34 CFR Part 668, Section 668.2.
8. "Eligible institution" means an institution of post-secondary education in this State that possesses a Certificate of Approval from the Commission.
9. "Eligible noncitizen" means a person who is not a citizen of the United States but who meets the criteria specified under 34 CFR Part 668, Section 668.33 (a) (2).

An eligible noncitizen is one of the following:

- a. A U.S. permanent resident who has an Alien Registration Receipt Card (I-551)
 - b. A conditional permanent resident (I-551C)
 - c. The holder of an Arrival-Departure Record (I-94) from the Department of Homeland Security showing any one of the following designations: "Refugee," "Asylum Granted," "Parolee" (I-94 confirms paroled for a minimum of one year and status has not expired) , or "Cuban-Haitian Entrant."
10. "Eligible student" means any student enrolled or accepted for enrollment at an institution of postsecondary education, meeting the criteria established under the individual program requirements in Education Article, Title 18.

11. "Employment verification" means written documentation from an employer that a recipient of a grant or loan repayment assistance is performing work in a field which the recipient is required to perform as a condition of receiving the grant or loan repayment assistance.
12. "Enrolled" means the status of a student who has completed the registration requirements except for payment of tuition and fees at the institution that the student is attending.
13. "Executive Director" means the chief administrative officer of OSFA.
14. "Expected family contribution" means the amount an applicant and his or her spouse and family are expected to contribute toward the applicant's cost of attendance as described in Part F of Title IV of the Higher Education Act which is hereby incorporated by reference.
15. "Financial need" means the difference between the applicant's cost of attendance and the applicant's expected family contribution.
16. "Fiscal year" means the period from July 1 through June 30 each year.
17. "Full-time" means an academic workload which is equal to or exceeds one of the following minimum requirements:
 - a. Twelve semester or trimester hours per semester or trimester, twelve quarter hours per quarter or eighteen clock hours per week of undergraduate level coursework; or
 - b. Nine semester hours of graduate level coursework, carried by a student during a standard term or semester as defined by the eligible postsecondary education institution in which the student is enrolled.
 - c. Remedial course credits may be used to reach the minimum credit hours. Audited course credits cannot be used to reach the minimum credit hours.
18. "Full-time employment" means a minimum of 35 hours per week of regularly scheduled employment.
19. "Full-time equivalency" means enrollment in classroom, lab, clinic, practicum, or other academic courses which equal or exceed 180 clock hours per semester.
20. "Grade point average" means the average of the points assigned to a scholarship applicant's grades received in prior secondary and/or postsecondary educational courses.
21. "Graduate student" means a student who is enrolled in an academic program of study above the baccalaureate level leading to a post-baccalaureate certificate,

certificate of advanced graduate study, master's degree or doctoral degree in an institution of higher education.

22. "Guaranteed promissory note" means a written contract obligating a recipient to repay the funds received if the recipient does not fulfill the service obligation which was a condition of the recipient's scholarship or grant award. The contract requires that a second party agree to repay the funds if the recipient neither performs the service obligation nor repays the funds.
23. "Guardian" means a person appointed as such by a court order recognized under the law of the State of Maryland.
24. "Home-school student" means in general a secondary student who is being educated by a parent or guardian under the guidance of a local school board or other home-school entity. These students do not attend recognized public or nonpublic schools.
25. "Independent student" means in general, a self-supporting student who is not financially dependent on his or her parents or any other individual. For State need-based programs, the official definition of independent student shall be the one listed under 34 CFR Part 668, Section 668.2.
26. "Initial award" means the first offer of financial assistance extended to an eligible applicant by the Office of Student Financial Assistance.
27. "Legislative district" means one of the legally established Maryland election districts.
28. "Mandatory fees" means the required charges, in addition to tuition, assessed by an institution of postsecondary education to its students during each semester or other period of enrollment specified by the institution.
29. "Maryland resident" means any student meeting the criteria of the Office of Student Financial Assistance listed under section D of this guideline.
30. "Matriculated status" means the student is admitted as a recognized candidate for an appropriate degree, diploma, or certificate at an eligible institution of post-secondary education.
31. "Out-of-state school" means an accredited institution of postsecondary education located in the District of Columbia or in a state other than Maryland.
32. "Overaward" means that a student has received more funds than for which s/he is eligible. The student may not receive more State funds than an amount set annually by the Office, or their cost of attendance at the institution they are attending, whichever is less. In addition, the student may not have a State need-based grant that is greater than the student's financial need.

- 33) "Parent" means a student's natural or adoptive mother or father.
34. "Part-time" means an academic workload which is less than "full-time" as defined in B. 17 of this guideline and equivalent to at least 6 semester or trimester hours per semester or trimester, 6 quarter hours per quarter or 9 clock hours per week of undergraduate or graduate level coursework. Remedial course credits may be used to reach the minimum credit hours. Audited course credits cannot be used to reach the minimum credit hours.
35. "Permanent residence" means a person's permanent place of abode, as defined in section D. 3.
36. "Professional student" means a student who is enrolled in an academic program of study above the baccalaureate level in an institution of higher education leading to a degree or certificate for becoming a practitioner in a field including, but not limited to, law, medicine, dentistry, pharmacy, or nursing.
37. "Promissory Note" means a written contract obligating a recipient to repay the funds if the recipient does not fulfill the service obligation which was a condition of the recipient's scholarship or grant award.
38. "Reciprocity" means an agreement between Maryland and designated states to exchange student assistance funds in support of Maryland students attending out-of-state schools and other students attending Maryland institutions of postsecondary education.
39. "Satisfactory academic progress" means a standard of minimum academic performance established by the institution of postsecondary education where the student is enrolled.
40. "Spouse" means a partner in a legally contracted marriage recognized under Maryland law.
41. "State" means the geographic area and political entity known as the State of Maryland.
42. "Student" means any person who has applied to attend, is attending or has attended an institution of postsecondary education.
43. "Support" means financial or material support, including gifts, services, trusts, and income or benefits derived from one's family.
44. "TFC rank" means a ranking system used to determine an applicant's priority for an Educational Assistance Grant based on the applicant's expected family contribution.
45. "Undergraduate" means a student who is enrolled in an academic program of study in an institution of higher education at or below the baccalaureate level leading to a

certificate, ~~nursing diploma~~, associate's degree or bachelor's degree. The student may not also be enrolled in high school.

46. "U. S. citizen" means one who under the Constitution and laws of the United States is a native-born or naturalized citizen of the United States of America.
47. "Verification" means the procedures implemented by OSFA to validate the eligibility of applicants for student assistance awarded based on financial need.
48. "Veteran" means an individual who served on active duty in the armed forces of the United States, other than for training, and was discharged or released under conditions of an honorable or general discharge.

DE. STUDENT APPLICANT ELIGIBILITY REQUIREMENTS

— Eligibility for OSFA programs varies by individual program. Unless otherwise stated in the individual program description, the following list of criteria is required for all OSFA programs.

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To qualify for OSFA programs, the applicant shall:

1. maintain Maryland residence status as defined under section D of this guideline;
2. be enrolled or accepted for admission in an institution of postsecondary education or out-of-state school as defined in sections B. 8 and B. 31 of this guideline;
3. maintain the satisfactory academic progress standards of the institution of postsecondary education in which the student is enrolled;
4. complete an official application as required by the particular financial assistance program.

ED. MARYLAND RESIDENCY REQUIREMENTS

— This policy applies to all OSFA scholarship and grant programs which require Maryland residence as a condition of receiving financial assistance. This policy is not intended to displace, supersede or affect in any manner other definitions of residency used by any institution or agency for any other purpose and it applies only to OSFA programs.

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1. Required Period of Residency

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~~Except as provided in subsection D. 4. of this guideline, applicants shall establish that they have been residents of the State of Maryland for the required time frame as specified below. The required time frames are based upon the type of institution the student will be attending and are for the period immediately preceding the first day of class for the first session in which the student would receive a State scholarship~~

award. Applicants shall establish that they have been residents of the State of Maryland for the required time frame as specified below. The required time frames are based upon the type of institution the student will be attending and are for the period immediately preceding the first day of class for the first session in which the student would receive a State scholarship award.

- a. Students enrolling in public four-year colleges and universities must have established Maryland residence for a period of 12 months preceding the first day of class for the first session in which the student would receive a State scholarship award.
- b. Students enrolling in public community colleges must have established Maryland residence for a period of 3 months preceding the first day of class for the first session in which the student would receive a State scholarship award.
- c. Students enrolling in independent colleges and universities must have established Maryland residence for a period of 12 months preceding the first day of class for the first session in which the student would receive a State scholarship award.
- d. Students enrolling in private career schools must have established Maryland residence for a period of 3 months preceding the first day of class for the first session in which the student would receive a State scholarship award.
- e. Students enrolling in out-of-state schools shall establish residency for a period of time equal to the required time frame for a comparable institution of postsecondary education within the State.

2. Institutional Responsibility

- a. An institution is **not** required to verify residency if:
 - i. The recipient received payment of a State award in the preceding academic year with no lapse in enrollment.
- b. Notwithstanding the exception described in subsection E.02.a, the institution **is** required to verify residency:
 - i. When the recipient has changed dependency status during the academic year to become an independent student; or
 - ii. If the recipient has a lapse within enrollment that exceeds the required time frame as described in subsection E.01; or
 - iii. If the institution has any information that indicates the recipient may not be a resident of Maryland.

3. General Criteria

Recipients of Maryland State scholarships will be considered as Maryland residents if one of the following criteria is met:

Except as provided in subsection D.4. of this guideline, recipients of Maryland State scholarships will be considered as Maryland residents if one of the following criteria is met:

- a. the student is dependent upon a parent(s) or spouse who has maintained a permanent residence in Maryland for the required period of residency described in section D of this guideline.
- b. the student is independent and has maintained a permanent residence in Maryland for the required period of residency described in section D of this guideline.
- c. the student is a full-time active member of the Armed Forces of the United States who is stationed in the State of Maryland or whose home of residency is Maryland.
- e. the student is a dependent spouse or dependent child of a full-time active member of the Armed Forces of the United States who is stationed in the State of Maryland or whose home of residency is Maryland.

a. an dependent student is a resident if dependent upon a parent(s) or spouse who has maintained a permanent residence in Maryland for the required period of residency described in section E.01 of this guideline;

b. an independent student is a resident if the applicant resides within the State of Maryland for the required period of residency described in section E.01 of this guideline;

c. a student who is a full-time active member of the Armed Forces of the United States who is stationed in the State of Maryland or whose home of residency is Maryland; or

d. a student who is a dependent spouse, or dependent child of a full-time active member of the Armed Forces of the United States who is stationed in the State of Maryland or whose home of residency is Maryland.

In the event the institution is required to verify a student's residency status, data from one or more of the documents listed in subsection E.04 shall be required to provide proof that the applicant is a Maryland resident. For all students, the dates recorded on the documents must indicate the applicant has resided in Maryland for the relevant timeframe as required in subsection E.01 and is not residing in Maryland for the sole purpose of receiving an education.

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4. Documentation must be provided as proof that the applicant (or parent) is a Maryland resident, as defined in subsection E.01. The applicant or parent must present one or more of the following documents to confirm residency including but not limited to :

- a. A valid copy of the most recent State of Maryland tax return or federal tax return, or federal tax transcript;
- b. Maryland high school or college transcript;
- c. Maryland driver's license;
- d. Current utility or rent bills in the applicant's (or parent's) name;
- e. Maryland auto registration card;
- f. Current residential lease in the applicant's (or parent's) name;
- g. Current wage and tax statements (IRS Form W-2);
- h. Current statement of benefits history from the Maryland Department of Healthcare and Family Services;
- i. State of Maryland identification card issued by the Secretary of State;
- j. Current statement of benefits from the Maryland Department of Employment Security;
- k. Statement of benefits from the Social Security Administration; or
- l. Maryland voter's registration card.

In every instance, the institution shall keep with the student's records copies of the evidence it used in determining residency pursuant to this section, in accordance with the institution's records and retention policy.

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53. Permanent Residence

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~~Except as provided in D-4E.03- of this guideline, the applicable criteria must be met for the required period of residency as described in section E.01 of this guideline. The criteria are as follows:in determining if permanent residence has been established in Maryland, the following criteria shall be taken into consideration. The applicable criteria must be met for the required period of residency as described in section D of this guideline. The criteria are as follows:~~

- ~~a. owns or rents and occupies living quarters in Maryland;~~

~~b.~~ maintains within Maryland substantially all personal property;

~~a.~~ ~~e.~~ pays Maryland income tax on all earned taxable income including all taxable income earned outside the State;

~~d.~~ registers all owned motor vehicles in Maryland in accordance with Maryland law;

~~b.~~

~~b.~~ ~~e.~~ possesses a valid Maryland driver's license, if licensed, in accordance with Maryland law;

~~e.c.~~ is registered to vote in Maryland, if registered to vote; and

~~d.~~ ~~g.~~ receives no public assistance from a state other than the State of Maryland or from a city, county or municipal agency other than one in Maryland.

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4. 6. Extenuating Circumstances

I. Students who move to Maryland as a result of the Base Realignment and Closure (BRAC) for one of the reasons listed below will be considered Maryland residents for the purposes of State financial aid programs through the 2011-2012 academic year.

a. Civilian Personnel

The time frame required to meet Maryland residency requirements shall be waived in the case of civilian employees of the U.S. Armed Forces whose positions are transferred from other States to Maryland as the result of the decision of the BRAC for the term of their continuous employment by the U.S. Armed Forces. This waiver shall also apply to the spouses and dependent children of the affected employees. Such employees shall be required to submit adequate supporting documentation of a BRAC-related transfer from the Department of Defense or the employee's military unit, such as a copy of the DD Form 1614 and proof of Maryland residence, verifying their eligibility for this waiver.

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b. Defense Contractors

The time frame required to meet Maryland residency requirements shall be waived in the case of employees of defense contractors whose positions are transferred from other states to Maryland as the result of the decision of the BRAC for the term of their continuous employment by their employer. This waiver shall also apply to the spouses and dependent children of the affected employees. Such employees shall be required to submit adequate supporting documentation of a BRAC-related transfer from their defense contractor

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employers establishing that the transfer was BRAC-related and proof of Maryland residence, verifying their eligibility of this waiver.

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7. Exemptions for Nonresident Tuition Waivers

I. Students who live in Maryland and fall into one of the following are exempt from paying nonresident tuition:

a. Veterans and Dependents Nonresident Tuition

A Veteran and/dependent who attends a public institution of higher education in the State is exempt from paying nonresident tuition at a public institution of higher education if they reside in the State, or are stationed in the State, or are domiciled as an:

- i. Active duty member of the United States armed forces or National Guard;
- ii. Honorably discharged member of the United States armed forces or National Guard; and
- iii. A spouse and or dependent

If a member of the National Guard joined or subsequently serves in the Maryland National Guard it must be in one of the required fields:

- i. a Critical Military Occupational Skill; or
- ii. be a member of the Air Force Critical Specialty Code as determined by the National Guard.

If a spouse or financially dependent child of an active duty member enrolls as an entering student in a public institution of higher education and is exempt from paying nonresident tuition, the spouse or dependent child shall continue to be exempt from paying nonresident tuition if:

- i. the active duty member no longer meets the requirements and the spouse or financially dependent child remains continuously enrolled at the public institution of higher education.

In order to confirm the student, spouse, and/ dependents veteran and dependent status the following documentation must be provided:

- i. DD214 documentation; or
- ii. Copy of military orders

8. Nonresident Nursing Tuition Reduction

A nonresident nursing student, who attends a two-year or four-year public institution in Maryland and agrees to work in a Maryland hospital or related institution after graduation, will receive a reduction in tuition expenses.

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59. Appeals

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A student may appeal a denial of Maryland residency under the appeal mechanism defined in section F of this guideline.

106. Change of Status

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Maryland residency status is lost at any time that an independent student, or the parent or spouse through whom a dependent student has attained Maryland residency status, establishes a domicile outside the State. The student shall be considered an out-of-State student in the first academic term, trimester, or semester after the out-of-State move occurs.

~~7. Certification of Residency by Institution~~

~~A student's residency status shall be certified each term by the Maryland institution at which the student is enrolled. If the institution determines that the student is not a Maryland resident, then the student's State scholarship award shall be cancelled.~~

FE. PROFESSIONAL JUDGMENT

~~The Executive Director of the Office of Student Financial Assistance or the Executive Director's designee may make necessary adjustments to a student's eligibility for a State scholarship award on the basis of adequate written documentation of extenuating circumstances.~~

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GF. APPEAL PROCEDURES

1. Appeals of decisions of ineligibility or revocation of State scholarship awards are made to the Executive Director of the Office of Student Financial Assistance. All appeals must:
 - a. be in writing;
 - b. be submitted within 30 days of notice of ineligibility or cancellation of award; and
 - c. detail reasons and/or circumstances that would justify reversal of the original decision, including all appropriate documentation.
2. The Executive Director will review each case and make a decision based on the written materials submitted no later than forty-five (45) days after receiving the appeal. The student will be notified in writing of the Executive Director's decision. All decisions of the Executive Director are final.

HG. HOLDING MULTIPLE STATE GRANTS AND SCHOLARSHIPS

—A student may hold any State grant or scholarship issued under Title 18 with any other issued under this title as long as:

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1. eligibility requirements are met for each scholarship and grant received; and
2. the total of all scholarships and grants does not exceed:
 - a. the student's total cost of education as certified by the institution the student is attending; and
 - b. the equivalent annual expenses of a full-time resident undergraduate at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and the University of Maryland, Baltimore, with the highest annual expenses for a full-time resident undergraduate.

H. I. HOME SCHOOL ELIGIBILITY

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1. Home school students are eligible to participate in OSFA's financial assistance programs as long as:
 - a. The entity that supervises the home instruction and establishes the curriculum holds a Certificate of Approval or is registered to supervise home instruction by the Maryland State Department of Education and the local county board of education; and
 - b. the curriculum is clearly identified with grades on an official transcript.
2. For home school students applying for the achievement category of the Distinguished Scholar program, in addition to the provisions in 1. above, the achievement application must be signed by home school oversight entity with a letter from the local education agency.
3. For home school students applying for the talent category of the Distinguished Scholar program only the following provisions apply:
 - a. The entity that supervises the home instruction and establishes the curriculum must hold a Certificate of Approval or be registered to supervise home instruction by the Maryland State Department of Education and the local county board of education; and
 - b. the talent application must be signed by an administrator of the home school supervising entity or an individual affiliated with the local education agency.

| **J.** **SERVICE OBLIGATION**

Students holding more than one scholarship requiring performance of a specific service must repay the service obligations in consecutive years.

| **K.** **PROGRAMS WITH AWARDS BASED ON TUITION AND FEES**

Due to budget constraints and increased program demand, awards based on institutional tuition and fee charges will be calculated using figures reported on the college cost survey due by April 1 of each year. Award amounts will not be recalculated based on increases in tuition and fees which occur after submission of the survey.

As a result of this policy, award amounts may not reflect actual tuition and fees.

| **L.** **FUNDING**

Funding for all State scholarships and grants shall be as provided for in the State budget of the Commission and regulated through Maryland Annotated Code. All awards are contingent upon the continued availability of such funding. Awards are not guaranteed even if an individual meets all minimum eligibility requirements.

| **M.** **FOREIGN STUDY/STUDY ABROAD/DOMESTIC STUDENT EXCHANGE PROGRAMS**

Students who are enrolled for sufficient credits in approved foreign study programs sponsored by a Maryland institution are eligible to receive State financial aid. However, students who are enrolled in foreign study programs that are not approved by a Maryland institution and are billed through other out-of-state institutions are not eligible to receive the award, even if the Maryland institution plans to grant transfer credit at the conclusion of the study experience.



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Anwer Hasan
Chairperson

James D. Fielder, Jr., Ph.D.
Secretary

MEMORANDUM

DATE: June 16, 2016

TO: Maryland Higher Education Commission

FROM: Donna Thomas, Director of Student Financial Assistance

SUBJECT: Final Adoption of COMAR Regulations 13B.08.06.01-.10, Jack F. Tolbert Memorial Student Grant Program

The Commission previously approved the publication of proposed regulations 13B.08.06.01-.10 to implement the Jack F. Tolbert Memorial Student Grant Program. The purpose of the Tolbert Grant Program is to provide financial assistance to full-time students attending an approved private career school in Maryland. An eligible recipient of the grant shall receive \$500 per year.

The Commission's proposed regulations were published in the *Maryland Register* on July 10, 2015. No comments were received to the revised proposed regulations. Staff now recommends that the Commission approved the Jack F. Tolbert Memorial Student Grant Program regulations with the following nonsubstantive changes:

- *Defining the term "Commission" to mean the Maryland Higher Education Commission*
- *Adding the eligibility requirement that a private career school operate solely within the State, as required by § 18-1205 of the Education Article*
- *Adding the eligibility requirement that a private career school does not have a negative final report under the State Postsecondary Review Program in accordance with 34 C.F.R. § 667.23, as required by § 18-1205 of the Education Article*
- *Adding the eligibility requirement that a private career school has not been referred for review under the State Postsecondary Review Program as a result of its student loan default rates in accordance with 34 C.F.R. § 667.5, as required by § 18-1205 of the Education Article*
- *Removing the student eligibility requirement previously listed on Section .03 that stated "pledge not to violate state or federal law concerning controlled substances during the term of the award"; and*
- *Adding the statement "subject to the availability of funds" to the requirement under Regulation 05(B);*

These nonsubstantive changes are reflected as amendments in the attached copy of the

regulations. Assuming final approval from the Commission, the anticipated effective date for the regulations is July 18, 2016.

RECOMMENDATION: It is recommended that the Maryland Higher Education Commission adopt for final approval regulations 13B.08.06.01-.10, concerning the Jack F. Tolbert Memorial Student Grant Program, as attached with the nonsubstantive revisions noted therein.

Title 13B
MARYLAND HIGHER EDUCATION COMMISSION
SUBTITLE 08 FINANCIAL AID

Chapter 06 Jack F. Tolbert Memorial Student Grant Program

Authority: Education Article, §§11-105(u), [and] 18-204(c), and 18-1201-18-1207, Annotated Code of Maryland

.01 Purpose.

The purpose of the Jack F. Tolbert Memorial Student Grant Program (Tolbert Grant Program) is to provide financial assistance to full-time students attending an approved private career school in Maryland.

.02 Institutional Eligibility.

A. Definition

(1) In this chapter, the following terms [has] have the meaning indicated.

(2) Terms Defined.

(a) “Commission” means the Maryland Higher Education Commission.

(b) “Private career school” has the meaning stated in Education Article, §10-101 of the Annotated Code of Maryland.

B. To be eligible to participate in the Tolbert Grant Program, a private career school:

(1) Shall be approved by the Commission for a minimum of two years to operate a private career school in Maryland;

(2) May not have any outstanding Notice of Deficiencies issued to the school by the Secretary; [and]

(3) Shall have signed a participation agreement provided by the Commission;[.]

(4) Operate solely within the State;

(5) May not have a negative final report under the State Postsecondary Review Program in accordance with 34 Code of Federal Regulations § 667.5; and

(6) May not have been referred for review under the State Postsecondary Review Program as a result of its student loan default rates in accordance with 34 Code of Federal Regulations § 667.5.

.03 Student Eligibility.

To be eligible to participate in the Tolbert Grant Program, a student shall:

A. Be enrolled in a private career school;

B. Be enrolled full-time (a minimum of 18 clock hours of instruction per week) in an approved program which is at least 100 clock hours in length;

C. Be a resident of the State of Maryland; and

[D. Pledge not to violate state or federal law concerning controlled dangerous substances during the term of the award; and]

[E]D. Demonstrate financial need and meet any other financial requirement of this program.

.04 Award Amount.

A. A Tolbert Grant award shall be \$500 per student per fiscal year.

B. A Tolbert Grant award shall be used for tuition only.

C. A recipient of a Tolbert Grant shall also be eligible to receive a Senatorial or Delegate Scholarship.

.05 Institutional Allocation and Notification.

A. At the beginning of each fiscal year, each eligible school shall be notified of the number of grant awards that may be awarded to students attending the school during the fiscal year.

B. Each eligible school shall be allocated a minimum of six grant awards for the fiscal year, subject to the availability of funds.

C. Any remaining grant awards shall be allocated proportionately based on student enrollment as follows:

(1) Each eligible school's total enrollment for all eligible programs shall be divided by the total enrollment for all eligible programs offered by all eligible schools.

(2) The percent derived from the calculation in § C(1) of this regulation shall be multiplied by the total number of awards not allocated, and the result shall be the additional allocation per school.

(3) Calculations under this section shall be based on the enrollments reported in the most recent annual reports submitted to the Commission by eligible schools for their eligible programs.

.06 Application for Student to Participate.

A student shall apply by submitting the following documents to the private career school the student attends:

A. An application on a form provided by the Commission; and

B. A Student Aid Report from a processed Free Application for Federal Student Aid.

.07 Qualification and Selection of Recipients.

A. A private career school shall rank all applicants according to the Expected Family Contribution (EFC) from the applicant's Student Aid report (SAR).

B. Each eligible applicant shall be ranked from lowest to highest based on the applicant's reported EFC.

C. Awards shall be given to applicants beginning with the applicant with the lowest EFC (e.g., \$0) and proceeding through the rankings until all awards have been made.

D. To be eligible for the grant program, a student shall demonstrate financial need. The EFC shall be at least \$500 less than the cost of tuition annually.

E. During the fiscal year, a school shall select candidates for awards up to the total number of awards which the school has been allocated.

F. A school shall submit candidates to the Office of Student Financial Aid in accordance with the following:

(1) The school shall submit the names of candidates, a copy of their SAR, and verification of their selection to the Commission by the assigned deadline date provided by the Commission for each semester during summer, fall, and spring.

(2) A school must use at least 66 percent of its allocated awards by March 15; and

(3) The school shall verify in a form approved by the Commission that each student selected has met each requirement identified in Regulation .03 of this chapter and was selected in accordance with this regulation and Regulation .06 of this chapter.

.08 Disbursement and Reallocation of Funds.

A. The Commission shall accept award candidates from each eligible school three times per year by the assigned deadline date provided by the Commission for each semester during summer, fall, and spring.

B. The Commission shall transmit funds to a school in the amount of the grant awards following verification by the Commission that the candidates have been reviewed and selected by the school on the basis of the requirements of these regulations.

C. A school shall credit an award to the student's account within 5 business days of receiving the funds from the Commission.

D. If a school fails to use 66 percent or more of its allocated awards by March 15 the remaining unused awards shall be redistributed to schools meeting the 66 percent requirement, on a pro-rata basis, unless the school losing the awards can show that it has eligible candidates to whom it will make the remaining awards.

E. The Commission shall notify schools of any reallocation of awards made after March 15.

.09 Continuation and Renewal.

A Tolbert Grant is renewable for a total of 2 years provided the recipient:

A. Continues to meet all requirements for eligibility identified in Regulation .03 of this chapter; and

B. Is making satisfactory progress towards a certificate of completion according to the approved academic and attendance standards of the private career school.

.10 Recordkeeping and Audits.

A. All financial books, records, and documents pertaining to this program shall be opened to inspection, review, and audit at all reasonable times by the Commission, the State auditor, or their authorized representatives.

B. A private career school shall retain all financial books, records, and documents relating to an award for 5 years after the close of the fiscal year in which the award was made.

C. A private career school shall include this program in any independent audit conducted for the school on financial aid programs.



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Anwer Hasan
Chairperson

James D. Fielder, Jr., Ph.D.
Secretary

MEMORANDUM

DATE: June 16, 2016

TO: Maryland Higher Education Commission

FROM: Donna Thomas, Director of Student Financial Assistance

SUBJECT: Final Adoption of COMAR 13B.08.08 Regulations- Graduate & Professional Scholarship Program

The Commission previously approved the publication of proposed regulations 13B.08.08.01-.06 to implement the Graduate & Professional Scholarship Program. The purpose of the Graduate & Professional Scholarship is to provide financial assistance to full-time and part-time graduate/professional students in the fields of medicine, dentistry, law, pharmacy, nursing, social work, and veterinary medicine to individuals who have demonstrated financial need.

The Commission's proposed regulations were published for comment in the *Maryland Register* on August 7, 2015. No comments have been received to the proposed regulations.

Assuming final approval from the Commission, the anticipated effective date for the regulations will be July 18, 2016.

RECOMMENDATION: It is recommended that the Maryland Higher Education Commission adopt for final approval regulations 13B.08.08.01-.06 concerning the Graduate & Professional Scholarship Program, as attached.

Title 13B
MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 08 FINANCIAL AID

13B.08.08 Graduate and Professional Scholarship Program

Authority: Education Article, §§11-105(u), 18-204(c), and 18-2601, Annotated Code of Maryland

Notice of Proposed Action

[15-268-P]

The Maryland Higher Education Commission proposes to adopt new Regulations .01—.06 under a new chapter, COMAR 13B.08.08 **Graduate and Professional Scholarship Program**, under a new subtitle, **Subtitle 08 Financial Aid**. This action was considered at a public meeting of the Maryland Higher Education Commission held on June 24, 2015.

Statement of Purpose

The purpose of this action is to adopt agency regulations to implement the Graduate and Professional Scholarship Program authorized by Education Article, §18-2601, Annotated Code of Maryland.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Donna Thomas, Director Office of Student Financial Assistance, Maryland Higher Education Commission, 6 N. Liberty Street, 10th Floor Baltimore, MD 21201, or call 410-767-3109, or email to donnae.thomas@maryland.gov, or fax to 410-332-0250. Comments will be accepted through November 2, 2015. A public hearing has not been scheduled.

.01 Purpose.

The purpose of the Graduate and Professional Scholarship Program is to provide financial assistance to full-time and part-time graduate/professional students in the fields of medicine, dentistry, law, pharmacy, nursing, social work, and veterinary medicine to individuals who have demonstrated financial need.

.02 Student and Institutional Eligibility.

A. To be eligible for the Graduate and Professional Scholarship Program an individual shall:

- (1) Be a Maryland resident;*
- (2) Demonstrate financial need; and*
- (3) Be enrolled as a degree-seeking student, either part-time or full-time, and attend one of the schools in §B of this regulation.*

B. An applicant shall be enrolled in one of the following programs:

- (1) University of Maryland, Baltimore (UMB) Schools of Medicine, Dentistry, Law, Pharmacy, or Social Work;*
- (2) University of Baltimore School of Law;*
- (3) The Johns Hopkins University School of Medicine;*
- (4) The Virginia-Maryland Regional College of Veterinary Medicine;*
- (5) Any institution in the State offering a master's degree in nursing or social work; or*
- (6) Any institution in the State offering a first professional degree in pharmacy.*

.03 Institutional Allocations.

A. The Office of Student Financial Assistance (OSFA) shall allocate to each eligible institution a share of the total funds provided for the program in proportion to its share of Maryland graduate and professional students who are enrolled in the eligible programs.

B. The allocation shall be based on the average of the enrollments for the preceding 2 years. An institution that becomes eligible to participate in the scholarship program due to a recent addition of an eligible graduate or professional program at their institution shall have its enrollments calculated using an estimated fall enrollment projection for that year. After 2 years of enrollments, the institution's allocation shall be calculated based on the average of the enrollments for the preceding 2 years.

C. OSFA shall notify institutions of the amount of their allocation and shall distribute funds to each institution no later than August 30.

D. In the event the institution fails to submit all required information under Regulation .06 of this chapter, funding allocated to the institution within that year will be subject to one of the following:

- (1) Reduction of subsequent years funding according to the preceding years allocated amount; or*
- (2) A 1-year lapse of funding in the subsequent year.*

.04 Student Awards.

A. The institutional financial aid office will identify students who are eligible for an award.

B. The minimum award is \$1,000 per academic year and the maximum award is \$5,000 per academic year.

C. A student may not receive an award for longer than eight semesters regardless of enrollment status.

D. Awards shall be based on the financial need of the student. Students are required to file the Free Application for Federal Student Aid (FAFSA). Each institution may determine an appropriate methodology for determining financial need; however, this methodology shall include consideration of the information provided on the FAFSA.

E. The award may be used toward the costs of tuition and mandatory fees, room and board, and other educational expenses.

.05 Renewal Conditions.

To maintain eligibility for a Graduate and Professional Scholarship, the recipient must continue to demonstrate financial need for each year that the award is sought and meet all other eligibility criteria in Regulation .02 of this chapter.

.06 Audit.

A. Each participating institution must submit to the Office of Student Financial Assistance by August 15 each year the following information:

- (1) The amount of funds and number of recipients awarded a Graduate and Professional Scholarship;*
- (2) The allocation of awards and funds by each degree program;*
- (3) The total number of eligible students with financial need; and*
- (4) The methodology used to determine the financial need of the students receiving awards under the Program.*

B. All financial books, records, and documents pertaining to this program shall, at all reasonable times, be opened to inspection, review, and audit by the Office of Student Financial Assistance, the State Auditor, or their authorized representatives. The institution shall retain such financial books, records, and documents for 5 years after the close of a fiscal year.

C. Institutions shall include this program in any independent audit conducted for the institution on financial aid programs.

JENNIE C. HUNTER-CEVERA, Ph.D.
Acting Secretary of Higher Education



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Anwer Hasan
Chairperson

James D. Fielder, Jr., Ph. D.
Secretary

MEMORANDUM

DATE: June 16, 2016

TO: Maryland Higher Education Commission

FROM: Jon Enriquez

SUBJECT: Enrollment Projections - Maryland Public Colleges and Universities

The Commission staff has prepared enrollment projections for Maryland public colleges and universities through the Fall 2025 semester. Projections of headcount enrollments for each higher education institution have been developed, and separate analyses for full-time and part-time undergraduates and, as applicable, full-time and part-time graduate/professional students have been calculated. Projected full-time equivalent (FTE) and full-time day equivalent (FTDE) students were determined by applying a historical formula to the headcount figures. Projections have also been developed for state-eligible FTE noncredit continuing education enrollments at the community colleges.

These projections provide important context for the Commission and other State policymakers as they consider issues including facilities planning, tuition and fees policies, articulation, funding priorities, and student retention and graduation. The Department of Budget and Management and the Maryland General Assembly consider the Commission's analyses to be the State's official enrollment projections.

The Commission's model uses historical data and forecast data from other agencies and groups to predict the number of students enrolling at community colleges and public four-year institutions. The Commission uses separate but related methodologies, centered on a linear regression analysis, to project the credit and noncredit enrollments at the community colleges and four-year institutions. The model provides highly accurate forecasts. The Commission's 2015 projection of 2015 enrollments was 98.7% accurate, and the 2006 projection of 2015 enrollments was 97.7% accurate.

Highlights of the 2016-2025 Enrollment Projections

- Total headcount credit enrollment at Maryland public colleges and universities is projected to be 307,804 in Fall 2016, an increase of 3,213 students (1%) over Fall 2015 actual enrollment.
- Total headcount credit enrollment at Maryland public colleges and universities is projected to be 360,585 in Fall 2025, an increase of 55,994 students (18%) over Fall 2015. Total

enrollment at community colleges is expected to increase by 23% (30,495 students) from Fall 2015 to Fall 2025, and enrollment at public four-year colleges and universities is projected to increase by 15% (25,499 students) during the same period.

- Undergraduate enrollment is projected to grow by 50,397 students by 2025, an increase of 19%, reaching a total of 311,856. Full-time and part-time undergraduate enrollments are expected to grow at similar rates.
- Graduate and professional student enrollment is expected to grow to 48,729 students by 2025, an increase of 5,597 (13%), predominantly among part-time students.
- Full-time equivalent enrollment (FTE) and full-time day equivalent enrollment (FTDE) are both expected to grow by 31% at community colleges between FY16 and FY25. FTEs are expected to reach 106,129, an increase of 25,030, and FTDEs are projected to rise to 68,629, an increase of 16,272. At public four-year institutions, FTEs are projected to reach 151,433, an increase of 16,519 or 12%, while FTDEs are expected to total 93,501, an increase of 6,875 or 8%.
- State-funded noncredit FTE continuing education enrollments at the community colleges are projected to increase by 9% to 26,709 by Fall 2025, an increase of 2,192 equivalent students.

RECOMMENDATION: It is recommended that the Maryland Higher Education Commission accept the 2016-2025 enrollment projections and approve their distribution to the public, the campuses, and interested state agencies.



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Anwer Hasan
Chairperson

James D. Fielder, Jr., Ph.D.
Secretary

Maryland Higher Education Commission 2016 Meeting Dates

The Maryland Higher Education Commission (MHEC) is Maryland’s higher education coordinating board responsible for the management of statewide financial aid programs and the establishment of statewide policies for public and private colleges and career schools to support students’ postsecondary pursuits.

Meeting Dates and Locations

January 27, 2016	June 16, 2016 11:00 a.m. *Please note date and time change*
February 24, 2016 10:00 a.m., AACC “Please note time and location change”	September 28, 2016 9:30am to 3:30pm
March 23, 2016 Towson University “Please note location change”	October 26, 2016
April 27, 2016	November 16, 2016 *Please note date change*
May 19, 2016 *Please note date change*	December 14, 2016 *Please note date change*

All Commission Meetings will be held on the 4th Wednesday of Each Month from 1:00pm to 4:00pm at the Maryland Higher Education Commission in the 7th Floor Board Room located at 6 N. Liberty Street, Baltimore, MD 21201 unless otherwise noted.

Dates and Times Subject to Change

<http://www.mhec.state.md.us/higherEd/about/Meetings/mtgsched.asp>