

MARYLAND HIGHER EDUCATION COMMISSION

MEETING BOOKLET

Time: 10:00 AM – 1:00 PM
Wednesday, November 20, 2024

Place: Maryland Higher Education Commission
Nancy S. Grasmick Education Building
7th Floor Boardroom

Maryland Higher Education Commission

Catherine J. “Cassie” Motz, Chair

Chike Aguh, Vice Chair

Kathleen Bands, Ph.D.

Mickey L. Burnim, Ph.D.

Charlene Mickens Dukes, Ed.D.

Barbara Kerr Howe

Ray Serrano, Ph.D.

Rebecca Taber Staehelin

Sheila D. Thompson, Ph.D.

Craig A. Williams, Ph.D.

Janet E. Wormack, Ed.D.

Praise Alayode, Student Commissioner

Sanjay Rai, Ph.D.
Secretary

Wes Moore
Governor

Aruna Miller
Lt. Governor



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Governor

Aruna Miller
Lt. Governor

Cassie Motz
Chair

Sanjay Rai, Ph.D.
Secretary

**Maryland Higher Education Commission
Meeting Agenda**

TIME: 10:00 a.m.
Wednesday
November 20, 2024

PLACE: Virtual
(via Google Meet video teleconference)

	Page	Action Item
Call to Order		
Chair's and Secretary's Remarks		
Public Comments		
Office of the Attorney General – Ms. Kimberly Smith Ward and Ms. Soma Kedia		
• Final Adoption of Regulations and Regulatory Amendments – Ms. Soma Kedia		
○ Amendments to Regulations for Academic Program Review – Standards for Substantial Modification (COMAR 13B.02.03).....	1	*
Review Meeting – Towson University Proposal for a Ph.D. in Sustainability and Environmental Change		
Adjournment		

**The next Commission meeting will be on Wednesday, December 11, 2024 @ 10 a.m.*



Wes Moore
Governor

Aruna Miller
Lt. Governor

Cassie Motz
Chair

Sanjay Rai, Ph.D.
Secretary

MEMORANDUM

DATE: November 20, 2024

TO: Maryland Higher Education Commissioners

FROM: Soma Kedia, Assistant Attorney General

SUBJECT: Final Adoption of Regulatory Amendments –
Amendments to Regulations for Academic Program Review – Standards for
Substantial Modification (COMAR 13B.02.03)

In order for proposed regulations to have legal effect, after initial publication in the Maryland Register and a public comment period, a State entity must formally adopt the regulations and publish notice of the adoption in the Maryland Register. The following proposed regulations are ready for final adoption.

Amendments to Regulations for Academic Program Review – Standards for Substantial Modification (COMAR 13B.02.03)

On August 28, 2024, the Commission approved for publication amendments to the academic program review regulations regarding the standards for substantial modification. The purpose of the amendments is to fulfill the requirement in Chapter 963 of the Acts of 2024 (HB 1244) for the Commission, in collaboration with institutions of higher education, to “evaluate whether the existing standard that triggers the academic program review process for a substantial modification to an existing program established under...COMAR 13B.02.03.03E is the appropriate standard.” Any regulatory amendments changing the standard are required to be adopted by the Commission no later than January 1, 2025.

To fulfill the requirement, MHEC convened a workgroup of representatives from the various segments of higher education in Maryland, which met five times from March to July 2024. The changes agreed upon by MHEC staff and the workgroup:

- Increase the threshold for substantial curriculum changes from 33% of the existing coursework to 50%;
- Except from review any changes required by accreditors, licensing boards, or other state or national entity that governs academic program elements required to enter into a particular field or industry;
- Eliminate the requirement to submit the same information required in a new program proposal as a proposal for a substantial change; and
- Remove text that was outdated or confusing.

The proposed regulatory amendments were published in the Maryland Register on October 4, 2024 (enclosed). The public comment period for the amendments ended on November 4, 2024, and no public comments were received. The regulatory amendments became eligible for final adoption on November 19, 2024.

By default, regulations are effective 10 days after notice of the final adoption is published in the Maryland Register, a later effective date may be requested. To allow sufficient time to implement the new standards, the Assistant Secretary for Academic Affairs has recommended an effective date for these regulatory amendments of January 31, 2025.

In the interim, MHEC staff plan to: (1) release new, streamlined forms for substantial modifications that are intended to reduce the burden on institutions proposing modifications to existing programs, while preserving the Commission's need to collect information needed to evaluate duplication; (2) issue detailed guidance on the new regulatory standards and forms; and (3) provide training materials to institutional representatives. Institution staff with questions on the new process are encouraged to wait until after the forms and guidance are released to contact staff.

RECOMMENDATION: It is recommended that the Commission approves for final adoption the enclosed regulatory proposal for amendments to the regulation for the standards for substantial modification under academic program review, with an effective date of January 31, 2025.

Title 13B

MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 02 ACADEMIC REGULATIONS

13B.02.03 Academic Programs—Degree-Granting Institutions

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

Notice of Proposed Action

[24-127-P]

The Maryland Higher Education Commission proposes to amend Regulations .02, .03, .06, and .20 under **COMAR 13B.02.03 Academic Programs — Degree-Granting Institutions**. This action was considered at an open meeting of the Commission held on August 28, 2024.

Statement of Purpose

The purpose of this action is to make changes to the standard that triggers the academic program review process for a substantial modification to an existing program in accordance with Ch. 963, Acts of 2024. These regulatory amendments:

- (1) Increase the threshold for changes to an existing program's coursework from 33 percent to 50 percent;
- (2) Except from review any changes required by accreditors, licensing boards, or other state or national entity that governs academic program elements required to enter into a particular field or industry;
- (3) Eliminate the requirement to submit the same information required in a new program proposal as a proposal for a substantial change and existing language regarding the criteria for off-campus programs;
- (4) Amend or remove text that is outdated or confusing; and
- (5) Make other changes to align the regulations with the requirements of Ch. 963, Acts of 2024.

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 Emily A. A. Dow, Ph.D., Assistant Secretary for Academic Affairs, Maryland Higher Education Commission, 6 N. Liberty St., 10th Fl., Baltimore, MD 21201, or call 410-767-3041, or email to emily.dow@maryland.gov. Comments will be accepted through November 4, 2024. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(23) (text unchanged)

(24) “Program proposal” means a [submission] *proposal* for a new program or *a proposal for a substantial modification of an existing program submitted for review in the form and manner required by the Secretary.*

(25) “Regional higher education center” *or “RHEC”* has the meaning stated in Education Article, §10-101, Annotated Code of Maryland.

(26)—(28) (text unchanged)

[(29) “Substantial modification” means a major change in an existing program or area of concentration.]

[(30)] (29) (text unchanged)

.03 Statutory Authority of the Commission Regarding Academic Program Review, Approval, and Recommendation.

A.—D. (text unchanged)

E. An institution shall submit a program proposal for a substantial modification to:

(1) Change more than [33] 50 percent of an existing program’s course work, *unless all of the proposed changes are required by an accreditor, licensing board, or other state or national entity that governs academic program elements required to enter into a particular field or industry;*

(2) Offer an existing program as an off-campus program *or at a regional higher education center;* *or*

(3) Establish a new area of concentration within an existing program [(for example, an institution offers a program in psychology and wishes to add a new area of concentration in employee assistance training, or an institution offers a program in mental health and wishes to offer a new area of concentration in addiction counseling); *or*].

[(4) Establish a new program title within an approved program (for example, an institution offers a program in human resources and wishes to offer a program in human resources management).]

F. Program Review Process.

(1) (text unchanged)

(2) If the Commission disapproves or does not recommend a proposal, the Commission shall provide to the institution's governing board a *detailed* written explanation of the reasons for the disapproval or non-recommendation *under this chapter.*

(3) (text unchanged)

G. Implementation of Programs.

(1) A public institution may not implement a *new program or a substantial modification to an existing program* without the prior approval of the Commission.

(2) Implementation of Program by Independent Institution.

(a) If an independent institution has implemented a new program or a substantial modification *to an existing program* contrary to the non-recommendation of the Commission that was based on a finding of unreasonable *or unnecessary* duplication, the Commission may recommend that the General Assembly reduce the institution's appropriation by the amount of aid associated with the full-time equivalent enrollment in that program.

(b)—(c) (text unchanged)

(3)—(4) (text unchanged)

H.—I. (text unchanged)

.06 Criteria for [Program] Review of a Proposal for a New Program.

A program proposal *for a new program* shall address the following areas:

A.—P. (text unchanged)

.20 Off-Campus Programs.

[A. Waiver of On-Campus Requirement.

(1) An off-campus program may be approved only if there is already an existing on-campus program unless a waiver of the on-campus requirement is approved by the Secretary pursuant to this section.

(2) The Secretary shall grant a waiver if the Secretary finds that the program:

(a) Meets the requirements of a new program under Education Article, §11-206, Annotated Code of Maryland, and the requirements of this chapter; and

(b) Will be offered at a regional higher education center.

(3) A program that receives a waiver under this section may not be approved at any location other than a regional higher education center unless it also is offered on-campus at the institution's principal location.

B. A program proposal for an off-campus program shall be submitted by the institution to the Commission and contain the following information regarding need and demand for extending the program and the impact the program may have on similar programs that may exist in the region:

(1) The title of the program and the degree or certificate to be awarded;

(2) The resource requirements for the program and the source of funds to support the program for the first 2 years of program implementation;

(3) The need and demand for the program in terms of:

(a) Specific local, State, and national needs for graduates;

(b) Job opportunities that are available to those who complete the program; and

(c) Evidence of market demand through supporting data, including results of surveys that have recently been conducted;

(4) A description of the following, if a similar program is offered within the same geographical region of the State:

(a) Similarities or differences in the degree to be awarded;

(b) Area of specialization; and

(c) Specific academic content of the program;

(5) A description of the method of instructional delivery, including distance education, on-site faculty, and the mix of full-time and part-time instructors; and

(6) A brief description of the academic oversight, quality control, and student services to be provided.

C. An institution offering an off-campus program shall provide for adequate and appropriate library resources within reasonable distance of the instructional site or through institution-sponsored electronic collections and databases.

D. Faculty.

(1) Students shall be taught by qualified faculty with appropriate experience.

(2) At least 1/3 of the classes offered in an off-campus program shall be taught by full-time faculty of the parent institution.

E. An off-campus program shall:

(1) Be complete and coherent;

(2) Provide for either real-time interaction or delayed interaction between faculty and students and among students;

(3) Provide appropriate oversight of the program offered by qualified faculty from the parent institution; and

(4) Provide enrolled students with reasonable and adequate access to the range of academic and support services appropriate to support their learning, including academic advising, counseling, library and other learning resources, and financial aid.

F. An institution has responsibility for:

(1) Evaluating the program's educational effectiveness, student learning outcomes, student retention, and student and faculty satisfaction; and

(2) Providing to faculty with professional development activities, appropriate training, and other support.]

A. A proposal for a substantial modification shall be submitted to offer an existing on-campus program at an off-campus location, including a regional higher education center.

B. Except as set forth in §C of this regulation, an institution may not submit a program proposal for a new program to be offered as an off-campus program.

C. An institution may submit a program proposal for a new program to be offered at a regional higher education center.

SANJAY RAI, Ph.D.
Secretary of Higher Education



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Secretary

Maryland Higher Education Commission 2024 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.

Commission meetings are held on the 4th Wednesday of each month from 10:00 a.m. to 1:00 p.m., with certain exceptions, as noted below. Meetings in 2024 will be in-person in the 7th Floor Boardroom at the Nancy S. Grasmick State Education Building, 200 West Baltimore Street, Baltimore, MD 21201. Meetings will also be livestreamed.

Scheduled Meeting Dates for 2024

January 24, 2024

February 28, 2024

March 20, 2024
(3rd Wednesday)

April 24, 2024

May 22, 2024

June 26, 2024

July 24, 2024

August 28, 2024

September 18, 2024
(3rd Wednesday)

10:00 a.m. to 4:00 p.m.

October 23, 2024

November 20, 2024
(3rd Wednesday)

December 11, 2024
(2nd Wednesday)

Dates, times, and locations are subject to change.

Please check this website for livestream links and the most up-to-date information:

<http://www.mhec.maryland.gov/About/Pages/Meetings.aspx>

MARYLAND HIGHER EDUCATION COMMISSION

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