

**Maryland Higher Education Commission**  
Meeting Minutes

August 28, 2024  
10:00 a.m.

The Maryland Higher Education Commission (MHEC) met on Wednesday, August 28, 2024 in the 7<sup>th</sup> floor boardroom in the Nancy S. Grasmick State Education Building (200 West Baltimore Street, Baltimore, MD 21201). The meeting was also livestreamed (and recorded), and some Commissioners joined virtually.

**Commission members present:**

Catherine J. “Cassie” Motz, Chair	Ray Serrano, Ph.D.
Chike Aguh, Vice Chair	Rebecca Taber Staehelin
Kathleen Bands, Ph.D.	Sheila D. Thompson, Ph.D.
Mickey L. Burnim, Ph.D.	Craig A. Williams, Ph.D.
Charlene Mickens Dukes, Ed.D.	Janet E. Wormack, Ed.D.
Barbara Kerr Howe	Praise Alayode, Student Commissioner

**Staff members present:**

Sanjay Rai, Ph.D.	Emily A. A. Dow, Ph.D.
Geoffrey Newman	Soma Kedia
Anthony Reiner	Kimberly Smith Ward
Derrick Coley	Everette Jackson
Trish Gordon McCown	Deborah Ing
Alexandra Chaillou, Ph.D.	Donita Moore
Lyndsay Silva, D.P.A.	Al Dorsett

**Call to Order**

The meeting was called to order by **Chair Motz** at approximately 10:00 a.m. A meeting quorum was established with eight (8) out of twelve (12) members present. The remaining four (4) Commissioners joined later in the meeting.

**Chair’s Remarks**

**Chair Motz** welcomed and thanked everyone for attending today’s meeting. She noted that today’s agenda was very full.

**Secretary’s Remarks**

**Secretary Rai** welcomed Student Commissioner Praise Alayode to her first in-person Commission meeting. He then gave an overview of the meeting agenda and shared about some

of the accomplishments of MHEC over the past year. From May 2023 through July 2024, 172 new academic programs were approved. Additionally, the Office of Student Financial Assistance has awarded \$112 million to 14,465 students. There have been many partnerships formed as well with prominent national organizations, like Lumina Foundation and ESG (Education Strategy Group). Notably, MHEC is currently developing new 2030 completion goals, which will be announced at our Student Success Summit in November.

### **Public Comments**

There were no public comments.

### **Commission Meeting Minutes Approval**

**Vice Chair Aguh** made a motion to approve the meeting minutes of May 22, 2024, and **Commissioner Wormack** seconded the motion. The motion was approved unanimously.

**Vice Chair Aguh** made a motion to approve the meeting minutes of June 26, 2024, and **Commissioner Alayode** seconded the motion. The motion was approved unanimously.

### **Department of Academic Affairs – FY 2024 Biannual Report on VA Education Benefits: MD SAA Actions for October 1, 2023 – March 31, 2024 – Information Item**

**Chair Motz** recognized Dr. Emily Dow, Assistant Secretary for Academic Affairs, who asked Ms. Trish Gordon McCown, Director of Academic Affairs, and Mr. Everette Jackson, Associate Director of Veterans Affairs/State Approving Agency, to present this item. Ms. McCown and Mr. Jackson provided an overview of the Maryland State Approving Agency's actions concerning program actions, other actions, risk-based surveys, supervisory visits, inspection visits, technical assistance activities, and liaison activities.

### **Department of Academic Affairs – Biannual Report on Private Career Schools: Actions for January 1, 2024 – June 30, 2024 – Information Item**

Ms. McCown and Mrs. Donita Moore, Interim Associate Director of Career and Workforce Education, provided an overview of actions concerning five (5) new schools, five (5) new programs, approvals of change of location, an approval of name change, approvals of change of ownership, an approval of change of director, other business approval, certificate renewals, and training provider questionnaires.

### **Department of Academic Affairs – Report on Institutions of Higher Education Institution Review: Secretary Actions for January 1, 2024 – June 30, 2024 – Information Item**

Ms. McCown and Dr. Alexandra Chaillou, Associate Director of Institution Review, provided an overview of actions concerning an in-state institution action, out-of-state institution actions, out-of-state online registration actions, NC-SARA actions, religious exempt actions, collegiate complaints, a Title IX reimbursement, and institutional site visits.

**Department of Academic Affairs – Report on Institutions of Higher Education Program Review: Secretary Actions for January 1, 2024 – June 30, 2024 – Information Item**

Ms. McCown and Dr. Lyndsay Silva, Associate Director of Program Review, provided an overview of actions concerning new degree programs, new certificate programs, new areas of concentration, substantial modifications to existing programs, non-substantial modifications to existing programs, withdrawn proposals, and institutional program partnerships.

**Department of Academic Affairs – Proposed Regulatory Amendments – COMAR 13B.02.03: Academic Program Review – Standards for Substantial Modification – Action Item**

**Chair Motz** recognized Dr. Dow to present this item. At the July 24, 2024 Commission meeting, Commissioners were presented with a draft of changes to the standard for substantial modification under the academic program review process. The proposed regulatory amendments would:

- Increase the threshold from 33 percent to 50 percent (change to an existing program's course work;
- 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 second item represents the only change to the draft presented to the Commission on July 24, 2024. There was some discussion by the Commissioners and questions asked about Dr. Dow's presentation.

Dr. Dow recommended that the Commission:

- (1) Approves for publication in the Maryland Register the proposed regulatory amendments for the substantial modification standard within academic program review; and
- (2) Authorizes its Assistant Attorney General to make non-substantive edits to the proposed regulations to conform to the stylistic and formatting requirements of AELR (Joint Committee on Administrative, Executive, and Legislative Review) and DSD (Division of State Documents).

**Vice Chair Aguh** motioned to approve the first recommendation and **Commissioner Burnim** seconded the motion. The motion was approved unanimously. **Vice Chair Aguh** motioned to approve the second recommendation and **Commissioner Dukes** seconded the motion. The motion was approved unanimously.

**Department of Academic Affairs – Draft Appendix on Statewide Needs Analysis for Commissioner Review – Information Item**

**Chair Motz** recognized Dr. Dow to present this item. Dr. Dow introduced Mr. Michael Siers, Chief Economist with the Maryland Department of Labor, who will offer his expertise on the subject matter. In the 2024 legislative session, the General Assembly passed HB 1244, which requires the Maryland Department of Labor, the Maryland Department of Commerce, and MHEC to collectively define, identify, and compile data regarding the workforce needs in the State.

As a result of this collaboration, MHEC is expected to publish an annual appendix to the Higher Education State Plan that identifies (a) the current and emerging state and regional workforce needs and (b) any specific academic programs institutions could develop to fulfill or support the identified needs. MHEC, Labor, and Commerce have had initial discussions to develop this work.

Representatives from the 3 agencies will continue to collaborate to develop four lists for inclusion in the appendix to the Higher Education State Plan:

- a. A list of state and regional workforce needs;
- b. A list of academic programs that would address the state and regional workforce need;
- c. A list of emerging workforce needs; and
- d. A list of “emerging workforce need programs.”

It is hoped that draft lists will be available for the Commission’s review and approval at the September meeting, so that it can then be circulated to the larger higher education community and other relevant partners (e.g., licensing boards) for review and feedback. These organizations will be given an opportunity to provide supplemental data to inform inclusion or exclusion on the final list.

Once we have feedback from various partners on the workforce needs list, we will review with Labor and Commerce and propose any final changes at a future Commission meeting. The Commission will need to approve the 4 lists for submission to the Legislative Policy Committee for review and feedback prior final adoption of the lists as an appendix to the Higher Education State Plan.

The Commissioners discussed and asked questions about the presentation.

#### **Department of Academic Affairs – Preview of Unreasonable Duplication Definition – Information Item**

**Chair Motz** recognized Dr. Dow to present this item. In the 2024 legislative session, the General Assembly passed HB 1244, which requires MHEC to adopt regulations with procedures that clearly identify all the specific criteria and factors (e.g., standards) for the analysis of unreasonable duplication and unnecessary duplication.

Currently, MHEC is envisioning a two-step analysis for unreasonable duplication, broken into two broad questions. First, is the academic content between the two programs duplicative? To answer this question, MHEC would use a combination of basic indicators and an analysis of the

curriculum to determine if the proposed program is duplicative to existing programs. If content is determined to be substantially different, then the proposed program is not duplicative and objection analysis stops (i.e., no need to consider reasonableness or harm). If the content is determined to be duplicative, the analysis would move on to the second question: is it unreasonable duplication that would cause harm to the State or students?

Unnecessary duplication standards are being developed in conjunction with the Assistant Attorney General, who is conducting legal research on the relevant standards in order to operationalize them into a step-by-step analysis in the same manner as the unreasonable duplication analysis. MHEC staff expects to present additional updates and draft regulations for the Commission's consideration at future meetings.

The Commissioners discussed and asked questions about the presentation.

### **Department of Academic Affairs – General Updates – Information Item**

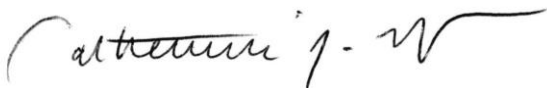
**Chair Motz** recognized Dr. Dow to present this item. Dr. Dow presented updates on the following topics:

- Blueprint Implementation Plan – MHEC submitted its Blueprint Implementation Plan for FY 24-27 on August 15, 2024. MSDE (Maryland State Department of Education) and MHEC also submitted their Joint Implementation Plan to support teacher preparation programs.
- Post-2025 Completion Goals – MHEC has been working with HCM Strategists to identify Maryland's post-2025 goals. A draft will be shared with the Education Policy Committee first, before sharing with the full Commission. There will be an attainment goal, one centered on completion and equity, and one related to research.
- Aspen Transfer Initiative – Dr. Dow reported that a steering committee has been convened of college presidents for the purpose of energizing leadership to prioritize transfer on their campuses. The next step will be to set transfer goals.
- Student Success Summit – MHEC has been talking to several national organizations, many of whom have agreed to speak at the Student Success Summit. At this time, there are 50 registrants from 15 institutions.

### **Adjournment**

**Vice Chair Aguh** made a motion to adjourn, and **Commissioner Alayode** seconded the motion. The motion was approved unanimously. The meeting adjourned at approximately 12:45 p.m.

Approved by the Commission:



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Catherine J. "Cassie" Motz, Chair