

MARYLAND HIGHER EDUCATION COMMISSION

MEETING BOOKLET

Time: 10:00 AM
Wednesday, December 6, 2023

Place: Video Teleconference
(Google Meet)

Maryland Higher Education Commission

Catherine J. “Cassie” Motz, Chair

Chike Aguh, Vice Chair

Mickey L. Burnim, Ph.D.

Charlene Mickens Dukes, Ed.D.

Judge 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.

Cierra M. Robinson, Student Commissioner

Sanjay Rai, Ph.D.
Acting Secretary

Wes Moore
Governor

Aruna Miller
Lt. Governor



Wes Moore
Governor

Aruna Miller
Lt. Governor

Cassie Motz
Chair

Sanjay Rai, Ph.D.
Acting Secretary

**Maryland Higher Education Commission
Meeting Agenda**

TIME: 10:00 a.m. – 1:00 p.m.
Wednesday
December 6, 2023

PLACE: Google Meet Video Teleconference

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Call to Order		
Chair’s and Acting Secretary’s Remarks		
Public Comments		
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Department of Finance and Administration – Mr. Geoffrey Newman		
Office of Student Financial Assistance – Mr. Al Dorsett		
• FAFSA Changes – Overview and Discussion		
• 2024 FAFSA Deadline Extensions – Delegate Howard P. Rawlings Educational Excellence Awards Program and Maryland Community College Promise Scholarship Program.....	8	*
Department of Academic Affairs – Dr. Emily A. A. Dow		
Office of Research and Policy Analysis – Dr. Barbara Schmertz		
• Opening Fall Enrollment Dashboard		
Department of External Relations – Mr. Derrick Coley		
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Adjournment		

Maryland Higher Education Commission
Meeting Minutes

August 9, 2023
10:00 a.m.

The Maryland Higher Education Commission (MHEC) met on Wednesday, August 9, 2023 via video teleconference (Google Meet).

Commission members present:

Catherine J. “Cassie” Motz, Chair	Ray Serrano, Ph.D.
Chike Aguh	Rebecca Taber Stachelin
Mickey L. Burnim, Ph.D.	Sheila D. Thompson, Ph.D.
Barbara Kerr Howe	Janet E. Wormack, Ed.D.

Commission members not present:

Charlene Mickens Dukes, Ed.D.	Craig A. Williams, Ph.D.
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Staff members present:

Sanjay Rai, Ph.D.	Emily A. A. Dow, Ph.D.
Eric Jackson	Everette Jackson
Soma Kedia	Trish Gordon McCown
Lyndsay Bates	Deborah Ing
Geoffrey Newman	Rhonda Wardlaw
Barbara Schmertz, Ph.D.	

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) of the ten (10) members present.

Chair’s Remarks

Chair Motz welcomed and thanked everyone for attending today’s meeting. She remarked that she was pleased to have been appointed Commissioner and Chair by the Governor. The new Commissioners were briefly introduced. **Chair Motz** then gave an overview of the meeting agenda. There are no action items.

Acting Secretary’s Remarks

Acting Secretary Rai welcomed everyone to the meeting. He remarked that he felt honored to be in this position, and he looked forward to working with the Commissioners and staff.

Public Comments

There were no public comments.

Commission Minutes Approval

Pursuant to the Open Meetings Act, Section 3-306(b)(2)-(3) of the General Provisions Article, Annotated Code of Maryland, the [video recording](#) of the May 24, 2023 Commission meeting will be deemed to be the minutes of that meeting.

Discussion on Follow-Up Items from Moore/Miller Transition Plan

Chair Motz shared highlights of the 2023 Moore-Miller Transition Report: Recommendations to Transform Maryland, particularly those items under Higher Education:

- 1) Increase the number of STEAM (science, technology, engineering, arts, and math) graduates by 150,000 by 2027.
- 2) Create new pathways to higher education by making the Community College Promise Program more accessible.
- 3) Increase the number of opportunities for dual enrollment and apprenticeships.
- 4) Leverage Maryland's world-class HBCUs and public minority-serving institutions (MSIs) as pipelines for opportunity and incubators of business, and support Morgan State to become the first HBCU with R-1 status.
- 5) Increase state financial aid funding.

The Commissioners shared their feedback on the Transition Report and the items under Higher Education.

Presentation and Discussion: Maryland's College Attainment Goal (55% by 2025)

Chair Motz introduced the next item, and **Acting Secretary Rai** asked Dr. Barbara Schmertz, Director of the Office of Research and Policy Analysis, to present this. Dr. Schmertz shared a PowerPoint presentation and informed the Commissioners that Maryland, in 2013, was one of the first states in the nation to set a degree attainment goal. The goal states that at least 55% of Maryland's adults (age 25 to 64) will hold at least an associate's degree by 2025. When this goal was set in 2013, it was based on the economy and realities at the time. Maryland is currently not on track to meet this goal. It is projected that, by 2025, Maryland will have only reached 52.1%. State progress has been uneven. When broken down by race and ethnicity, there are disparities. **Acting Secretary Rai** added that MHEC has been talking to the Lumina Foundation who is interested in working with us. He also shared the example of Texas whose goal is that 60% of Texans (age 25 to 64) will receive a degree, certificate, or other postsecondary credential of value by 2030. The Commissioners shared their feedback on the presentation and asked questions about the presented material.

Discussion of Maryland State Plan for Higher Education

Chair Motz shared highlights of the 2022 Maryland State Plan for Higher Education. MHEC is required by statute to draft this. The Commissioners should take a look at the existing plan and consider updating it to include the points and concepts that we have already discussed.

Department of Academic Affairs – Biannual Report on Private Career Schools: Secretary Actions for January 1, 2023 – June 30, 2023 – Information Item

Chair Motz recognized Dr. Emily Dow, Assistant Secretary for Academic Affairs, who asked Ms. Trish Gordon McCown, Director of the Office of Academic Affairs, to present this item. Ms. McCown provided an overview of the Secretary’s actions concerning new schools, new programs, approvals of change of location, approvals of change of ownership, approval of separate classrooms, other business approval, certificate renewals, a cease and desist order, school approvals withdrawn, a program approval withdrawn, and training provider questionnaires.

Department of Academic Affairs – Report on Institutions of Higher Education Institution Review: Secretary Actions for January 1, 2023 – June 30, 2023 – Information Item

Ms. McCown provided an overview of the Secretary’s actions concerning in-state institution actions, out-of-state institution actions, out-of-state online registration actions, NC-SARA actions, collegiate complaints, Title IX reimbursements, and institutional accreditation visits.

Department of Academic Affairs – FY 2023 Biannual Report on VA Education Benefits: MD SAA Actions for January 1, 2023 – June 30, 2023 – Information Item

Ms. McCown provided an overview of the Maryland State Approving Agency’s actions concerning program actions, other actions, visits to facilities, technical assistance activities, and liaison activities.

Department of Academic Affairs – Report on Institutions of Higher Education Program Review: Secretary Actions Biannual Report (January 1, 2023 – June 30, 2023) – Information Item

Ms. McCown provided an overview of the Secretary’s actions concerning program objections, new degree programs, new certificate programs, new areas of concentration, substantial modifications to existing programs, non-substantial modifications to existing programs, withdrawn proposals, institutional program partnerships, and a proposal not approved.

Adjournment

The meeting adjourned at approximately 12:28 p.m.

Approved by the Commission:

Catherine J. “Cassie” Motz, Chair

Maryland Higher Education Commission
Meeting Minutes

September 7, 2023
1:00 p.m.

The Maryland Higher Education Commission (MHEC) met on Thursday, September 7, 2023 via video teleconference (Google Meet).

Commission members present:

Catherine J. “Cassie” Motz, Chair	Ray Serrano, Ph.D.
Chike Aguh	Sheila D. Thompson, Ph.D.
Mickey L. Burnim, Ph.D.	Janet E. Wormack, Ed.D.
Charlene Mickens Dukes, Ed.D.	Cierra M. Robinson, Student Commissioner
Barbara Kerr Howe	

Commission members not present:

Rebecca Taber Staehelin	Craig A. Williams, Ph.D.
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Staff members present:

Sanjay Rai, Ph.D.	Emily A. A. Dow, Ph.D.
Rhonda Wardlaw	Geoffrey Newman
Soma Kedia	Trish Gordon McCown
Lyndsay Bates	Deborah Ing

Call to Order

The meeting was called to order by **Chair Motz** at approximately 1:04 p.m. A meeting quorum was established with nine (9) of the eleven (11) members present.

Chair’s Remarks

Chair Motz welcomed and thanked everyone for attending today’s meeting. She noted that the purpose of the special Commission meeting was to review the decision of Acting Secretary Rai to recommend for implementation the proposal of Johns Hopkins University (JHU) for a Doctor of Physical Therapy (DPT) program. The review was requested by the University of Maryland Eastern Shore (UMES) and the University of Maryland Baltimore (UMB), both of whom objected to JHU’s proposed program. She explained that the Commission would hear presentations from all parties and make a decision to either affirm or overturn the Acting Secretary’s decision. She stated that there are currently 11 Commissioners (Student Commissioner Cierra Robinson was appointed recently) and eight (8) Commissioners would be in attendance at the review meeting. Commissioner Taber Staehelin had a scheduling conflict,

and both Commissioners Williams and Howe recused themselves, due to their associations with JHU. She noted that Commissioner Howe was in attendance to hear the presentations, but would leave the meeting early. **Chair Motz** added that all individual votes would be made public, along with the rationale behind the Commission's decision.

Review Meeting – Proposal of Johns Hopkins University for a Doctor of Physical Therapy (DPT) Degree Program

Chair Motz recognized Acting Secretary Rai who thanked the institutions present for the part they play in higher education in Maryland, as well as the agency staff for their work. Dr. Emily Dow, Assistant Secretary for Academic Affairs, explained that there were three basic reasons that led to the decision to recommend JHU's proposed program for implementation:

- 1) The market demand for DPT programs in Maryland is high.
- 2) There is unmet market demand for physical therapists.
- 3) JHU's role in Maryland higher education is distinct. It is a private institution.

In analyzing JHU's proposed program, they had to determine if there was duplication of existing programs. Although there is duplication, the duplication is reasonable for the reasons mentioned. Furthermore, the reasonable duplication would not cause demonstrable harm to the two (2) existing programs. In fact, JHU's program will increase the available pool of faculty long-term. JHU will also be utilizing clinical placements within the Johns Hopkins Medicine System. The Commissioners asked questions of Dr. Dow.

Chair Motz recognized Dr. Alison Wrynn, Senior Vice Chancellor for Academic and Student Affairs of the University System of Maryland, for initial remarks. Dr. Heidi Anderson, President of the University of Maryland Eastern Shore, then urged the Commission to overturn the Acting Secretary's decision. Dr. Michael Rabel, Professor and Chair of the Department of Physical Therapy, stated that JHU's proposed program is unreasonably duplicative and would cause demonstrable harm to the existing programs. Among other things, UMES believes that a new DPT program would increase the difficulty faced by their students to secure the clinical hours needed to complete their degree. He also disputes the claim that JHU's DPT program would positively assist with the national faculty shortage issue, citing lack of evidence. The Commissioners asked questions about UMES's presentation.

Chair Motz recognized Dr. Bruce Jarrell, President of the University of Maryland, Baltimore, who stated his opposition to the program proposed by Johns Hopkins University. Dr. Roger Ward, UMB's Provost, remarked that JHU's proposed program would cause harm to UMB's program. If implemented, JHU would be competing for already scarce resources, such as clinical site placements and faculty, with UMB. Dr. Victoria Marchese, Chair of the Department of Physical Therapy and Rehabilitative Science, added that there is actually an overall decline in applications. Currently, UMES and UMB are meeting the need for physical therapists in the state. The Commissioners asked questions about UMB's presentation.

Chair Motz recognized Dr. Dow, on behalf of MHEC, for responsive remarks. Dr. Dow noted several things, including the fact that JHU would still have to seek final approval for their

program from the accrediting body, and Johns Hopkins has clearly stated that they are in need of physical therapists.

Dr. Marchese, for UMB, cautioned that JHU cannot guarantee that it will supply all of its students' clinical site placements. There is still likely to be competition for these already scarce resources. Dr. Ward remarked that he is not aware of any attempts by JHU to reach out to UMB or UMES for assistance in filling their need for physical therapists.

Dr. Rabel, for UMES, remarked that there is no guarantee that future graduates of JHU's DPT program would stay and work within the Johns Hopkins Medicine System.

Chair Motz recognized Dr. Stephen Gange, Interim Provost at Johns Hopkins University, who remarked that they are in support of the Acting Secretary's decision. Dr. Gange reiterated that there is market demand for physical therapists in Maryland and the nation. Regarding any possible faculty shortage, they have not experienced any challenges in hiring faculty. (Among those who applied, there were no current UMB and UMES faculty.) Additionally, JHU would continue to make field experiences within their system available to UMB and UMES.

Commissioner Burnim made a motion to enter into a closed session to perform an administrative function and receive legal advice. **Commissioner Serrano** seconded the motion. **Chair Motz** called the roll:

Aguh – Yes
Burnim – Yes
Dukes – Yes
Robinson – Yes
Serrano – Yes
Thompson – Yes
Wormack – Yes
Motz – Yes

Adjournment

The meeting adjourned at approximately 3:23 p.m.

Approved by the Commission:

Catherine J. "Cassie" Motz, Chair

Attachment to the Open Session Minutes of the Commission's September 7, 2023 Meeting

CLOSED SESSION: Pursuant to §§ 3-301(a) and 3-305(b)(7) of the General Provisions Article, Annotated Code of Maryland, and upon motion of Commissioner Burnim, seconded by Commissioner Serrano, and with unanimous agreement of the Commissioners present, the Maryland Higher Education Commission met in closed session on Thursday, September 7, 2023, virtually, by video, using Google Meet, for the purpose of reviewing an academic program proposal pursuant to Title 11 of the Education Article, Annotated Code of Maryland and to receive legal advice from counsel regarding academic program review. The following Commission members were not present for the vote: Barbara Howe, Craig Williams, and Rebecca Taber.

The Executive Session commenced at approximately 3:30 p.m. In attendance at closed session were Commissioners Cassie Motz, Chike Aguh, Mickey Burnim, Charlene Dukes, Ray Serrano, Sheila Thompson, Janet Wormack, and Cierra Robinson; and Assistant Attorney General Soma Kedia. The topic of discussion at the closed session was the Acting Secretary's decision to recommend for implementation Johns Hopkins University's proposed Doctorate in Physical Therapy program under COMAR 13B.02.03.28. The Commission also received legal advice on the criteria for program review in COMAR 13B.02.03. The action taken during the closed session was to overturn the Acting Secretary's decision to recommend the proposed degree program. The motion to overturn the Acting Secretary's decision was made by Commissioner Burnim and seconded by Commissioner Aguh. The following Commissioners voted in favor of the motion: Mickey Burnim, Chike Aguh, Sheila Thompson, Ray Serrano, Cierra Robinson, and Charlene Dukes. The following Commissioners voted against the motion: Cassie Motz and Janet Wormack. The Closed Session ended at approximately 4:30 p.m.

Approved by the Commission:

Catherine J. "Cassie" Motz, Chair



Wes Moore
Governor

Aruna Miller
Lt. Governor

Cassie Motz
Chair

Sanjay Rai, Ph.D.
Acting Secretary

MEMORANDUM

DATE: December 6, 2023

TO: Maryland Higher Education Commissioners

FROM: Geoff Newman, Assistant Secretary for Finance and Administration
Al Dorsett, Director Office of Student Financial Assistance

SUBJECT: 2024 FAFSA Deadline Extensions –
Delegate Howard P. Rawlings Educational Excellence Awards Program and
Maryland Community College Promise Scholarship Program

On November 15, 2023, the U.S. Department of Education (Department) released new details on the redesigned and streamlined Free Application for Federal Student Aid (FAFSA) form. The FAFSA redesign goes well beyond just a new form. Starting with the 2024-25 award year, the better FAFSA form reflects updates to student aid calculations that extend Federal Pell Grants to more students. Pell Grant eligibility will be linked to family size and the federal poverty level. These changes will help significantly expand access to federal student aid. The new FAFSA will make it easier than ever for students to get financial aid for college and help 610,000 more students from low-income backgrounds receive Pell Grants. In total, it will allow 1.5 million more students access to the maximum Pell Grant award, bringing the total number of students eligible for the maximum Pell Grant to over 5.2 million. Due to the redesign, the Department has indicated that the 2024-25 FAFSA will not be available until late December 2023. This late date is a one year anomaly as the Department of Education completes the new, simplified FAFSA. In 2025-26 the FAFSA will go back to being available starting October 1. The Department expects applications to peak in late January and February 2024. Additionally, the Department has indicated that state agencies and institutions of higher education will begin receiving aid eligibility information, including Institutional Student Information Records (ISIRs), by the end of January 2024.

This change gives students significantly less time to file the FAFSA than they have had in prior years. However, the majority of MHEC's Office of Student Financial Aid (OSFA) programs do not contain a statutory requirement to file a FAFSA. Some OSFA programs have regulations that require the FAFSA to be filed, but either do not contain a deadline for filing or have a deadline that is later in the year.

One notable exception to the above is the Delegate Howard P. Rawlings Educational Excellence Awards Program (EEA Program), which includes the Guaranteed Access (GA) Grant. The EEA Program has a statutory requirement for demonstration of financial need

(Education Article, § 18-303(a)(3), Annotated Code of Maryland) and MHEC regulations require that a FAFSA must be filed by March 1 for a student to be eligible (Code of Maryland Regulations 13B.08.10.03A(2)).

MHEC's Assistant Attorneys General have advised that because the deadline is contained in MHEC regulations, the Commission has the discretion to grant a temporary extension without formal amendment. Therefore, we recommend that the Commission extend the March 1 FAFSA deadline for the EEA Program to June 1, 2024, for the 2024-2025 award year.

Similarly, the Maryland Community College Promise Scholarship Program requires that a FAFSA be filed (Education Article, § 18-3603(b)(6), Annotated Code of Maryland) and MHEC regulations require that the FAFSA be filed by March 1 (Code of Maryland Regulations 13B.08.21.03B(8)). While recent legislative changes to the program mean that the March 1 deadline will likely be changed through formal regulatory amendments, we suggest that the Commission extend this deadline as well to ensure that no students will be unduly excluded from eligibility regardless of program changes. We recommend that the March 1, 2024, FAFSA filing deadline for the Promise Scholarship Program be extended to May 15, 2025, for the 2024-2025 award year.

RECOMMENDATION: It is recommended that the Commission:

(1) Extend the EEA Program's regulatory deadline for filing the FAFSA for the 2024-2025 award year from March 1, 2024, to June 1, 2024; and

(2) Extend the Promise Scholarship Program's regulatory deadline for filing the FAFSA for the 2024-2025 award year from March 1, 2024, to May 15, 2025.