

Maryland Higher Education Commission
Meeting Minutes

December 15, 2021
1:00 p.m.

The Maryland Higher Education Commission (MHEC) met on Wednesday, December 15, 2021 via video teleconference (Google Meet).

Commission members present:

Mary Pat Seurkamp, Ph.D., Chair	Charles McDaniels, Jr. (arrived at 1:08 PM)
Vivian S. Boyd, Ph.D.	Ray Serrano, Ph.D.
Lewis R. Brown, Ed.D.	Craig A. Williams, Ph.D.
James E. Coleman	Haleemat Y. Adekoya, Student Commissioner

Commission members absent:

Vera R. Jackson, Ph.D., Vice Chair	James B. Sellinger, Sr.
Senchal D. Barrolle, Esq.	

Staff members present:

James D. Fielder, Ph.D.	Emily A. A. Dow, Ph.D.
Geoffrey Newman	Jennifer Katz
Soma Kedia	Trish Gordon McCown
Lee Towers	

Call to Order

The meeting was called to order by **Chair Seurkamp** at approximately 1:03 p.m. A meeting quorum was established with seven (7) out of eleven (11) members present.

Chair's Remarks

Chair Seurkamp welcomed and thanked everyone for attending today's meeting. She noted that today's meeting would be brief, as there was only one set of regulations which require the Commission's timely approval.

Secretary's Remarks

Secretary Fielder informed everyone that with the recent increase in COVID cases at Bowie State University, the school has decided to switch to remote operations.

Public Comments

There were no public comments.

Commission Minutes Approval

Commissioner Serrano motioned to approve the November 17, 2021 meeting minutes. **Commissioner Coleman** seconded the motion, and the motion was approved unanimously.

Department of Academic Affairs – Final Adoption of COMAR Amendments – Financial Guarantee Requirements for Private Career Schools – Action Item

Chair Seurkamp recognized Dr. Emily Dow, Assistant Secretary for Academic Affairs, who presented this item. On August 25, 2021, the Commission approved proposed amendments to regulations regarding the financial guarantee requirements for fully online or hybrid programs offered by private career schools. The purpose of these amendments is to eliminate the outdated distinction between the calculation of financial guarantees for online/hybrid programs and programs offered in a traditional format. With this change, financial guarantee calculations for hybrid and fully online programs would be the same as programs in a traditional format, with a minimum guarantee of 100% of non-Title IV tuition liability and an increased guarantee based on how long the institution has been operating and if the institution is financially viable.

In order to allow private career schools to continue to offer post-pandemic hybrid and online education without interruption, the Commission approved these amendments for emergency adoption, which lasts a maximum of six months. Therefore, in order to make a permanent change, the Commission also approved these amendments for publication in the Maryland Register.

The legislature's Joint Committee on Administrative, Executive, and Legislative Review (AELR) granted emergency status to these regulatory amendments on September 22, 2021. The emergency status expires on January 15, 2022. The Commission does not need to take any further action with regard to the emergency adoption.

The proposed permanent changes to the regulations were published in the Maryland Register on October 8, 2021. The public comment period for the amendments ended on November 8, 2021, and no public comments were received. The regulatory amendments became eligible for final adoption on November 23, 2021.

The proposed amendments to the regulations are ready for the Commission's final adoption, with non-substantive changes as highlighted in the attached text. The purpose of the non-substantive changes is to adjust cross-references within the regulation that are affected by the regulatory amendments. The amendments will become effective 10 days after notice of the final adoption is published in the Maryland Register.

Dr. Dow recommended that the Commission approves for final adoption the proposed amendments, including the non-substantive changes indicated in the text, to the regulations regarding financial guarantees for distance education by Private Career Schools.

Commissioner Boyd made a motion for approval and **Commissioner Adekoya** seconded the motion. The motion passed unanimously.

Commissioner Committee Updates

Education Policy Committee: **Commissioner Boyd** did not have any special or new update to share.

Outreach, Grants, and Financial Assistance Committee: **Commissioner Coleman** did not have a report or update to share.

Finance and Operations Committee: Mr. Geoffrey Newman, Assistant Secretary for Finance and Administration and staff contact for the Committee, reported that five (5) of the agency's vacant positions will be filled shortly. Additionally, the legislative session will commence in January, and the budget will be introduced by the Governor at that time.

Diversity, Equity, and Inclusion Committee: **Commissioner McDaniels** reported that the Committee met in December to set some goals and targets for the first quarter of the new year. A few MHEC staff members were able to join their meeting, lending invaluable insight. The Committee hopes they will be able to incorporate some of their goals into several reports put out by the Commission, including the Performance Accountability Report, Cultural Diversity, and Progress to 55%.

Adjournment

The meeting adjourned at approximately 1:20 p.m.