



# HB1244/CH963: Implementation Updates

Maryland Higher Education Commission

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# Initiatives that Require Changes

1. Statewide Workforce Need and Emerging Field Analysis
2. Revisions to Definition of Substantial Modification
3. Standards for Analysis for Unreasonable Duplication and Unnecessary Duplication
4. Mission Statement Review for Public Institutions
5. Establish a Program Review Process Advisory Committee
6. Develop Process for Fully Online Programs
7. Letters of Intent for New Graduate Programs
8. Conduct Harm Analysis
9. Create an Administrative Procedures Guide



# Principles for Implementation

- ✓ Transparent decision making
- ✓ Develop clearly defined processes and standards
- ✓ Ensure that community partners are included in the development of changes and implementation
- ✓ Alignment with Governor and legislative priorities



# How the Review Process will Change

We will have...

- ✓ A universal source for “Statewide Workforce Need and Emerging Fields”
- ✓ A preview of potential new graduate programs so we can provide early warning signs of duplication and encourage collaboration
- ✓ Clear standards for the analysis of unreasonable duplication and unnecessary duplication
- ✓ A revised review meeting process
- ✓ A new definition for substantial modifications
- ✓ Clear institutional distinction through updated mission statements
- ✓ A Program Review Process Advisory Committee
- ✓ A review process for fully online programs
- ✓ The opportunity to evaluate harm should duplication be allowed
- ✓ An Administrative Procedures Guide



# Forthcoming Regulations

Initial approval of proposed regulations for publication and public comment

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- Preliminary Review Meeting Changes

August 2024

- Substantial Modification Definition  
*(final adoption deadline January 1, 2025)*

- Unreasonable Duplication Analysis

September 2024

- Unnecessary Duplication Analysis

- Letters of Intent Format and Process

- Separate Process for Fully Online Programs Offered to Out-of-State Students

Late 2024

- Additional Process Changes

Late 2024 and ongoing

Final Adoption of Above: Expected December 2024 - February 2025 (and ongoing)





# 1. Statewide Workforce Needs and Emerging Fields

# Higher Ed State Plan

The Commission shall develop and periodically update an overall plan... known as the State Plan for Higher Education, that shall identify:

1. The present and future needs for postsecondary education and research throughout the state, **including current and emerging state and regional workforce needs...**
2. The present and future capabilities of the different institutions and segments of postsecondary education in the state, **and any specific academic programs institutions could develop to fulfill or support identified current state and regional workforce needs and any emerging workforce need programs;**
3. The long-range and short-range objectives and priorities for postsecondary education and methods and guidelines for achieving and maintaining them



# Workforce Needs Analysis: Final Product

The Commission shall update the workforce needs identified in the most recent version of the State Plan for Higher Education each year as an appendix to the plan and post the update on the Commission's website.

Created in collaboration with Maryland Department of Labor and Maryland Department of Commerce

Legislative Policy Committee will review before adoption

First appendix due by January 1, 2025





# Workforce Needs Analysis

In identifying state and regional workforce needs and emerging workforce need programs... the Commission shall:

1. Use the uniform and consistent baseline data, including common sources and measurements, about workforce needs developed in collaboration with the Department of Commerce and the Maryland Department of Labor;
2. Consult, as necessary, with other state agencies with unique expertise in specific workforce segments, including the Maryland Longitudinal Data System Center, occupational licensing boards, and national organizations;
3. Use data from resources and literature relating to specific occupations;
4. Provide all institutions of higher education in the state with access to this baseline data; and
5. Consult with each segment of higher education.



# Final Product: Higher Ed State Plan Appendix

1. List of State and regional workforce needs
  - Likely to include both broad industries and specific occupations
  - Need to come to consensus on defining “region”
  - Need to come to consensus of operationalizing “need”
    - Data sources
    - Shortage of qualified candidates
    - Aging workforce
    - Changes in the field/industry
2. List of academic programs that would address the need
  - Existing academic programs that could be expanded or revised
  - New academic programs that are needed



# Final Product: Higher Ed State Plan Appendix

3. List of emerging workforce needs
  - Will need to distinguish between “current workforce needs” and “emerging workforce needs”
  
4. List of “emerging workforce need programs”
  - Very specific definition from HB1244
    - ✓ Graduate level program
    - ✓ Not currently offered in Maryland
    - ✓ Addresses a job or industry need that is innovative, unique, and rare
    - ✓ Could leverage federal, state, or private resources
    - ✓ Does not mean a specific academic program that fulfills or supports an identified current state and regional workforce need





## 2. Revisions to Definition of Substantial Modification

# Status Update

- Formed a workgroup of segmental representatives to discuss changes to the existing definition
  - Workgroup has met 4 times; likely to have 2-3 more meetings
- New regulations must be adopted on or before January 1, 2025
  - September Commission meeting: Initial approval for publication and public comment
  - Preview of changes at July and August meeting



# Changes under discussion

## Current definition

- Change more than 33 percent of an existing program's course work;
- Offer an existing program as an off-campus program;
- 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
- 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).

## Elements under consideration for revision

- Increase threshold to 50 percent
- Incorporate program learning outcomes
- Account for changes motivated by an external authority (e.g., accreditor, licensing board)
- CIP code changes
- Title changes





# 3. Standards for Analysis for Unreasonable Duplication and Unnecessary Duplication

# Statutory Changes

- Unreasonable program duplication which would cause ~~demonstrable harm to another institution~~ **the State or students attending institutions of higher education in the State**
- ~~Violation~~ **unnecessary program duplication in violation** of the State's equal educational opportunity obligations under state and federal law.





# Standards under consideration

- Unreasonable duplication
  - Degree level
  - Program learning objectives, including specific competencies, skills, and employment potential
  - Curriculum, including a course analysis
  - Program title
  - CIP code
- Unnecessary duplication standards are being developed in conjunction with the AAG





# 4. Mission Statement Review for Public Institutions

# Revision to Mission Statement Review Process

- ...Develop detailed criteria for the robust review of mission statements of public institutions of higher education, including ensuring the mission of each institution is reflective of the institution's statutory distinction and clearly defined and distinct from other public institutions
- Report to General Assembly:
  - An analysis explaining the role of the public institution of higher education within the system of higher education in the state to ensure the mission statement is clearly defined and distinct from other public institutions of higher education



# Mission Statement Timeline

- Share proposed criteria with Segmental Advisory Council no later than September meeting for review and feedback
- Prepare relevant materials for release *after* the Workforce Needs Analysis is completed and appendix to Higher Education State Plan is adopted





# 5. Establish a Program Review Process Advisory Committee

# Status Update

- Expect to have first meeting no later than September 30, 2024
- Advisory Committee would review process matters; not opine on individual proposals
- Need to determine composition of Committee Members
  - Bylaws to be drafted and approved by Commission





# 6. Develop Process for Fully Online Programs

# Online Programs

The Commission shall develop and implement a program review process for new proposed programs that:

- (1) are offered only online and to a majority of out-of-state students; and,
- (2) enable the institutions of higher education in the state to compete with out-of-state competitors in the online marketplace.

A new process will be discussed, reviewed, and recommended through the Program Review Process Advisory Committee







# 7. Letters of Intent for Graduate Programs

# Letters of Intent

- New Graduate Programs
- Every 6 months
- Must be circulated

The Commission shall use a letter of intent submitted by an institution under this section:

- (1) to facilitate collaboration between institutions; and
- (2) to provide feedback to an institution before the institution submits the new program to the commission for approval, including any commission concerns regarding unreasonable or unnecessary program duplication.

The new process will be discussed, reviewed, and recommended through the Program Review Process Advisory Committee





# 8. Conduct Harm Analysis

# Harm Analysis

The Commission shall review each academic program that has been recently approved... that was subject to an objection of a Historically Black College or University... to determine whether the Historically Black College or University, the State, or students attending institutions of higher education in the state suffered harm resulting from approval of the program.

First report due to General Assembly on September 1, 2025





# 9. Create an Administrative Procedures Guide

Currently under development – expect to be released this summer with ongoing updates as process changes are made to meet new statutory requirements



# 10. Other processes

# Additional changes forthcoming

- ✓ Revisions to the Review Meeting Process and Procedures
- ✓ Consultation with key experts/faculty on program duplication, when appropriate
- ✓ Ad-hoc collaborative meetings hosted by MHEC



# Questions?



# Thank you!