

**MARYLAND HIGHER EDUCATION COMMISSION**  
Application for Initial Approval for Out-of-State Degree-Granting  
Institutions to Operate in Maryland

**Please Note: A separate application form must be completed and submitted with all supporting documentation for each proposed location in Maryland.**

**PROPOSED LOCATION IN MARYLAND.**

Please provide the full mailing address below. If a specific facility is yet to be identified, please provide as a minimum, the county or city in which you plan to operate:

[If these programs/classes are to be offered at a military installation and the recruitment and enrollment of students is limited to active-duty personnel, their dependents, or civilians employed at the installation, and if the institution waives its right to claim veterans' benefits for enrolled students, do not complete this application. Complete an Application for Exemption to COMAR 13B.02.01 instead.]

**PROPOSED START DATE:**

Applications must be submitted at least 5 months prior to the proposed start date.

**INSTITUTION APPLYING FOR APPROVAL.**

<b>Name of Institution:</b>
<b>Does the institution currently have an Extended Approval? (If yes, when is the end date)</b>
<b>Web Address:</b>
<b>OPEID Code:</b> <small>U.S. Department of Education, Office of Postsecondary Education, ID Code -- Title IV eligibility.</small>
<b>Chief Executives Officer:</b>
<b>Mailing Address:</b>
<b>Telephone:</b> <b>Email:</b>

**Institutional Liaison:** Name and title of the individual who will serve as liaison to the Maryland Higher Education Commission:

<b>Name:</b>
<b>Title:</b>
<b>Mailing Address:</b>
<b>Telephone:</b> <b>Email:</b>

\*\*\*\*\***CERTIFICATION**\*\*\*\*\*

I hereby affirm that the answers given in this application and its attachments are accurate and complete and further agree to comply with the *Annotated Code of Maryland* and State regulations governing the operation of out-of-State degree-granting institutions (COMAR 13B.02.01).

_____ Date	_____ Printed Name of Chief Executive Officer
_____ Signature of Chief Executive Officer	

**Electronic applications are preferred for initial and renewal applications. You can send you application to [oosauthorization.mhec@maryland.gov](mailto:oosauthorization.mhec@maryland.gov)**

**All payments should be mailed to:  
Maryland Higher Education Commission  
Department of Academic Affairs  
Institution Review  
217 East Redwood Street, Suite 2100  
Baltimore, Maryland 21201**

A copy of these regulations can be found on the [Maryland Higher Education Commission's web site \(mhec.maryland.gov\)](http://mhec.maryland.gov) along with an application form.

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## **I. SUPPORTING DOCUMENTATION.**

Only a complete application can be acted upon. While separate application forms must be completed and submitted for each proposed location, the following Supporting Documentation needs to be included only once for the entire package of applications. **CHECK EACH ITEM AS ATTACHED.**

- Cover letter from the Chief Academic Officer addressed to the Secretary of Higher Education requesting approval to operate in Maryland.

- Catalogs and Other Institutional Publications COMAR 13B.02.01.20A(1)

Submit a copy of the institution's home campus catalog or other publication (graduate and undergraduate as applicable) that contains information on: academic progress standards, curricular content of the proposed programs, student services information, credit for prior learning as well as credit for practica, clinical experience, internships, and cooperative work experiences.

- Copies of the awards to be granted COMAR 13B.02.01.07D(3)(h)

Include one copy of each award to be granted.

- Application Fee COMAR 13B.02.01.07D(2)

The institution shall submit a non-refundable application fee in the amount of (a) \$7,500 for up to two degree programs and (b) an additional \$850 for each degree program over two programs. The institution's check should be made payable to: Maryland Higher Education Commission. Please note there is a fee *per* application.

- Accreditation COMAR 13B.02.01.07D(3)(g)

Provide a copy of the most recent letter of approval (notification) from an organization recognized as an accrediting agency by the U.S. Department of Education. Along with your most recent notification of institutional accreditation, please provide evidence that you are in compliance with that organization's policies and procedures related to off-campus educational activities. If any of your proposed programs require program accreditation provide evidence of that accreditation.

- Registration as an Out-of-State Corporation COMAR 13B.02.01.07D(3)(f)

To transact interstate business in Maryland, the institution must qualify with the State Department of Assessments and Taxation by making the certification required in the Corporations and Associations Article, §7-202, Annotated Code of Maryland. A public institution is not required to qualify as a foreign corporation. However, a business entity affiliated with a public institution or a private institution (profit or non-profit) must qualify as a foreign corporation. The Foreign Corporation Qualification Form may be obtained from the Maryland Department of Assessments and Taxation, Room 809, 301 West Preston Street, Baltimore, Maryland 21201 or on-line at: [www.dat.state.md.us](http://www.dat.state.md.us). Once qualified, the institution must provide a copy of the certificate of good standing issued by the State Department of Assessments and Taxation.

- Certificate of Compliance COMAR 13B.02.01.07D(3)(o)

Please provide a certificate for each location for which you are seeking approval, indicating that the proposed facility has been inspected and is found in compliance with local and State ordinances pertaining to fire and safety. If this is not presently available, it may be submitted no later than 30 days prior to the start of classes.

- Board of Trustees Resolution of Financial Solvency COMAR 13B.02.01.07D(3)(e)

Please provide a resolution from your Board of Trustees addressed to the Secretary of Higher Education stating that your institution is financially solvent.

- Advertisements COMAR 13B.02.01.07D(3)(p)

Please provide copies of the promotional materials including social media accounts, websites and printed materials.

- Faculty Compliance Report for each program COMAR 13B.02.01.16C

At least 1/3 of the classes offered shall be taught by full-time faculty of the parent institution. Submit a Faculty Compliance Report<sup>1</sup> for each previously approved and newly proposed program.

- Teach-out Plan COMAR 13B.02.01.07D(3)(j)(iv)

The institution must provide a copy of its teach-out plan<sup>2</sup> allowing enrolled students to complete their programs if the institution decides to cease operation in Maryland. This plan may vary by program.

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<sup>1</sup> Requirements and forms for a Faculty Compliance Report are available on the Out-of-State Degree Granting Institutions page of our website: [mhec.maryland.gov](http://mhec.maryland.gov)

<sup>2</sup> A teach-out plan is an institution's written plan to ensure its students are treated fairly with regard to finishing their programs of study. Minimum requirements for a teach-out plan are available on the Out-of-State Degree Granting Institutions page of our website: [mhec.maryland.gov](http://mhec.maryland.gov)

## II. APPLICATION QUESTIONNAIRE

This questionnaire, properly completed with supporting documentation, shall serve as an application for approval to operate in Maryland under the *Code of Maryland Regulations* (COMAR) 13B.02.01. It must be completed for each proposed location.

### **SECTION 1: Institutional Information**

**1. Administrative Staff.** The out-of-State institution shall provide for an on-site administrative staff responsible for overall administrative operation of educational activities including counseling, advising, testing orientation, financial aid services, and maintenance of academic records. In addition to being responsible for the administration of the policies and procedures of the parent institution, the designated administrators are responsible for meeting the expectations set forth in this chapter [of the Regulatory Standards of the State of Maryland for Out-of-State Institutions]. The duties and size of the staff shall be adequate for the size of educational activities offered. COMAR 13B.02.01.15

**INSTRUCTIONS:** Please enter the requested information in the spaces provided below, or create an attachment (labeled "A-3: Administrative Staff") to this application with your responses to the following questions.

(a) How are you are planning to meet the above standard on Administrative Staff?

(b) Who will be assigned to carry-out each of these duties? Please include a curriculum vitae/resume for each administrator in the attachment to this application

**2. Full-Time Faculty.** At least 1/3 of the classes offered shall be taught by full-time faculty of the parent institution. COMAR13B.02.01.16(C)

Full-time faculty member" means an employee:

- a) Whose primary professional responsibility is instruction, research, scholarship, or service;
- b) Who performs those functions normally expected of a full-time faculty member at an institution of higher education, including curriculum development, student advising, and institutional service;
- c) Who is employed on an annual or renewable contract of at least 9 months long that stipulates an annual salary; and
- d) Who is not employed full-time by another employer. COMAR13B.02.01.03(10)

Please provide a copy of either a job description or contract that reflects the expectations of a faculty members identified as full-time according to Maryland Regulations.

**3. Library Resources.** Out-of-State Institutions offering programs or courses, or both, in Maryland, shall provide adequate and appropriate library resources within State boundaries and within reasonable distance of the instructional site. Usage statistics shall be kept to determine to what extent these resources are available and accessible. COMAR 13B.02.01.17A

**INSTRUCTIONS: Please enter the requested information in the spaces provided below, or create an attachment (labeled “A-5: Library Resources”) to this application with your responses to the following questions.**

(a) How are you planning to meet this standard on Library Resources? Briefly describe the types of materials and titles that you will make available to your students and how they will access them. Will there be provision for bibliographic instruction and/or library orientation? Will there be provision for technical assistance or IT/support for library resources?

(b) Library Waiver. In extraordinary circumstances, an out-of-State institution may request a waiver of the library requirement. **Are you requesting such a waiver?**  Yes  No

**If Yes**, this request shall be considered at a regularly scheduled meeting of the Maryland Higher Education Commission. The waiver may be granted if justified by the institution demonstrating in this application the following:

(i.) the specialized or technical nature of the institution’s curriculum; or

(ii.) an executed contract or contracts with another library or libraries ensuring students adequate access to another appropriate collection either through location or through information technology.

**4. Student Services.** COMAR 13B.02.01.18 concerns student services and activities. These shall realistically reflect the stated objectives, purposes, and philosophy of the out-of-State institution. Further, an out-of-State institution shall ensure that all students have access to a well-developed program of counseling, testing, advisement, orientation, financial aid, career development, and placement. The institution may determine the specific organization of services, as well as the resources and staffing provided, as long as provision for these services are made. Student activities that complement the instructional program are particularly encouraged. COMAR Section .18 also requires that the out-of-State credits, transcripts, graduates, and other essentials in accordance with standard practice. This includes the physical security and confidentiality of such records. The Section requires as well, a published statement of student rights, privileges, and responsibilities and the school’s adherence to its student grievance procedures.

**INSTRUCTIONS: Please enter the requested information in the spaces provided below, or create an attachment (labeled “A-6: Student Services”) to this application with your responses to the following questions.**

(a) How do you plan to implement the requirements for Student Services cited above?

(b) Regarding student records, describe the security measures the institution takes to ensure the confidentiality, physical, and electronic security of your record-keeping system.

If this statement is in the Catalog you submitted with the application, please indicate the page number:  
If not in the Catalog you submitted, please provide us with a copy of the statement.

(c) Does the institution have a published statement of rights, privileges, and responsibilities of students?

Yes  No

Where will this be made available to the students enrolled at the proposed instructional site? \_\_\_\_\_

If this statement is in the Catalog you submitted with the application, please indicate the page number:  
If not in the Catalog you submitted, please provide us with a copy of the statement.

(d) Does the institution have a published student grievance procedure?  Yes  No

If this procedure is in the Catalog you submitted with the application, please indicate the page number: \_\_\_\_\_

If your student grievance procedure is available online, please provide the link; otherwise submit a copy of the procedure and the designated administrator's contact details (name, title, and email/phone).

**5. Facilities.** (See COMAR 13B.02.01.19).

**INSTRUCTIONS:** Please enter the requested information in the spaces provided below, or create an attachment (labeled "A-7: Facilities") to this application with your responses to the following questions.

(a) Has a specific facility been identified?  Yes  No

(b) Has the proposed facility been inspected and approved for use as classroom/laboratory space and been found in compliance with local and State ordinances pertaining to fire and safety?  Yes  No

(1) If yes, please provide a copy of the Certificate of Compliance.

(2) If no, the Certificate of Compliance must be submitted at least 30 days prior to the start of classes.

(c) Describe any special instructional facilities and equipment (computers, audio-visual equipment, etc.) that will be used and available to students in this location.

(d) Describe what provisions are being made for periodic repair and maintenance of buildings and grounds. What measures are being taken for campus security and fire protection? If dangerous or toxic materials are being handled, what provisions are being made for safe storage, handling and disposal?

(e) Describe the office (and conference) space available to full and part-time faculty and administrators.

(f) Please provide a copy of the formal Memorandum of Understanding (MOU) or agreements for any sites being utilized for placements.

**6. Distance Education.** COMAR 13B.02.01.03(8). “Distance education” means education that uses one or more of the following technologies to deliver instruction to students who are separated from the instructor, and to support regular and substantive interaction between the students and the instructor synchronously or asynchronously:

- (a) Internet;
- (b) One-way and two-way transmissions through open broadcasts, closed circuit, cable, microwave, broadband lines, fiber optics, satellite or wireless communication devices;
- (c) Audio conferencing; and
- (d) Video cassette, DVDs, and CD-ROMs, if the cassette, DVDs, and CD-ROMs are used in a course in conjunction with a technology listed in (a) – (c).

An institution operating in Maryland and delivering instruction in Maryland by distance education shall provide evidence to the Secretary of compliance with the standards of good practice found in COMAR 13B.02.01.21.

**INSTRUCTIONS.** Is the institution providing distance education as defined above?  Yes  No  
**If yes,** please contact the staff at the Maryland Higher Education Commission for a copy of the Standards of Good Practice and provide evidence of compliance as an attachment (labeled “A-8: Distance Education”) to this application.

**SECTION 2: Program Information**

**Please enter below, or create an attachment (labeled “A-1: Programs”) to this application with your responses to the following:**

(a) Provide a list of the proposed programs (or individual courses) to be offered at this location. An institution may apply to offer courses only if the full complement of courses comprise not more than 3 courses (or 9 credit hours) of a degree program. [See COMAR 13B.02.01.07D(5)]  
For each program/course provide the following information: (1) the full title of the program (or individual course); (2) the degree or certificate to be awarded; (3) the CIP Code; (4) the mode of instructional delivery; (5) the number of credit hours (semester or quarter); and (6) whether they are offered at the parent campus.

Program Title	Degree	CIP Code	Mode of Instruction	Total Credit Hours	Offered on Main Campus Yes / No
<i>Example: Organizational Management</i>	<i>M.S.</i>	<i>52.0202</i>	<i>Classroom</i>	<i>36 sem</i>	<i>Yes</i>
<i>Example: BUS 101 Intro to Business Administration</i>		<i>52.0201</i>	<i>Distance Ed.</i>	<i>3 sem</i>	<i>Yes</i>


(b) Will the programs/classes at this location be closed? [That is, only available to employees or members of the host site and not open to the general public].  Yes  No

If yes, please supply a copy of a memorandum of understanding from the Maryland entity sponsoring your institution. The memorandum shall specify the institution is operating a closed- site and that the courses are offered solely for its own employees. COMAR 13B.02.01.07D(6)

(c) Will these programs/classes be offered in affiliation with a Maryland Regional Higher Education Center?  Yes  No

If yes, please identify the Maryland Regional Higher Education Center and provide a copy of the Memorandum of Understanding or agreement. COMAR 13B.02.01.22

(d) Provide a course schedule for the proposed location.

**For each program** complete an **Out-of-State New Program and Sub Mod Cover Sheet with all required signatures** and provide the following information.

**A/B. Pursuant to COMAR 13B.02.01.06A, the institution shall present evidence demonstrating the educational need to establish operations, offer programs, and award the degrees in question in the State. This shall include the evidence required by COMAR 13B.02.01.06B and listed below.**

- (1) The degree to be awarded (if applicable);
- (2) The area of specialization;
- (3) The purpose or objective of the program or course of study to be offered (Please include a program description and identify all learning outcomes);
- (4) Specific academic content of the program or course of study (Please include all program requirements);
- (5) The quality of the proposed program in comparison to existing programs;
- (6) An analysis of the market for the program; Include information on the student population that will be served by the program, the roles or pathways for which this program will prepare students, and what distinguishes the proposed program from similar programs in the state.
- (7) The State's equal educational opportunity obligations under State and federal law.

**C. In addition, the out-of-State institution shall demonstrate that the proposed program, for which the institution is making application:**

- (1) Meets a critical and compelling regional or Statewide need;  
Demonstrate demand and need for the program in terms of meeting present and future needs of the region and the State in general based on one or more of the following:
  - (a) The need for the advancement and evolution of knowledge
  - (b) Societal needs, including expanding educational opportunities and choices for minority and educationally disadvantaged students at institutions of higher education
  - (c) The need to strengthen and expand the capacity of historically black institutions to provide high quality and unique educational programs.
  - (d) Occupational and professional needs relative to upgrading vocational/technical skills or meeting job market requirements.
- (2) Is consistent with the current [Maryland State Plan for Postsecondary Education](#).  
Demonstrate how the program serves one of the three goals of the State Plan: access, success, innovation.

**D. The out-of-State institution shall clearly state the demand and need for a program, for which the institution is making application, in terms of meeting present and future needs of the region and the State in general. Two kinds of need may be identified:**

- (1) Societal needs, including the tradition of liberal arts education, which provides immeasurable returns to the State in part by instilling in citizens a capacity for advanced learning and individual and societal benefits regardless of workforce or market demand considerations and/or expanding educational opportunities and choices for minority and educationally disadvantaged students at institutions of higher education; and
- (2) Occupational needs relative to meeting workforce requirements or upgrading vocational or technical skills.

## E. Market Demand Data

(1) The out-of-State institution shall present data projecting market demand and the availability of openings in the job market to be served by the new program for which the institution is making application. The type of information submitted will vary, depending on the program, but may include workforce and employment projections prepared by the federal and State governments as well as professional and trade associations.

(2) With the exception of programs in the liberal arts, recently collected, existing, or new market surveys shall be used which clearly provide quantifiable and reliable data from prospective employers on the educational and training needs, and the anticipated number of vacancies, expected over the next 5 years.

(3) In assessing demand for a new program, for which the institution is making application, an institution shall also present data showing the current supply of graduates in that program area in the State and region.

Some potential data sources are:

- [Education Crosswalk](https://www.onetonline.org/crosswalk/CIP/)  
<https://www.onetonline.org/crosswalk/CIP/>
- [Maryland Occupational Projections](https://www.dlir.state.md.us/lmi/iandoproj/maryland.shtml)  
<https://www.dlir.state.md.us/lmi/iandoproj/maryland.shtml>
- [Maryland Workforce Exchange](https://mwejobs.maryland.gov/vosnet/Default.aspx)  
<https://mwejobs.maryland.gov/vosnet/Default.aspx>
- [Health Professional Shortage Area Search Tool](https://data.hrsa.gov/tools/shortage-area/hpsa-find)  
<https://data.hrsa.gov/tools/shortage-area/hpsa-find>

Is a Maryland employer sponsoring/supporting the application for the program(s) to be offered at this location?

Yes     No

**If yes**, please attach a letter of support from the employer addressed to the Assistant Secretary, Academic Affairs. The letter should outline the employer's reasons for selecting the institution and its programs and state the benefits to the employees who participate in the program

## F. Faculty Information

**Commission authorization is by academic program; therefore, each program is reviewed independently to determine compliance with COMAR 13B.02.01.16. In addition to the Faculty Compliance Report included with your supporting documentation, please provide the following information:**

(a) List all faculty that are to teach in the first year (or cycle) of the program at this location. For each faculty member provide the following information: COMAR 13B.02.01.16A, B, and C.

- (1) the course(s) the faculty might soon teach;
- (2) the degrees the individual holds
- (3) the degrees areas of specialization; and
- (4) whether or not the faculty member is full-time or part-time (adjunct) at your parent institution

**A full-time faculty member** is defined as an employee: "(a) whose primary professional responsibility is instruction, research, scholarship, or service; (b) who performs those functions normally expected of a full-time faculty member at an institution of higher education, including curriculum development, student

advising, and institutional service; (c) who is employed on an annual or renewable contract of at least 9 months long that stipulates an annual salary; and (d) who is not employed full-time by another employer.” COMAR 13B.02.01.03(10)

(b) Please include a curriculum vitae/resume for each potential faculty member. For those faculty who are yet to be hired include a job description and minimal qualifications.

**Will more than 1/3 of the classes offered be taught by full-time faculty of the parent institution?**

Yes  No

Full-time Faculty Waiver. (See COMAR 13B.02.01.16E) If 1/3rd or less of the classes are taught by full-time faculty of the parent institution you will have to apply for a full-time faculty waiver. In order to obtain a waiver under the Regulations, please respond to the following:

(1) Demonstrate that the unique role, scope, and mission of the institution require a waiver in order for the institution to operate.

(2) After making this demonstration the institution shall then provide the following:

- (i.) Designate by name the faculty members whose primary responsibility is instruction, scholarship, research or service who will perform the duties normally required of full-time faculty.
- (ii.) Document that these designated faculty members substantially participate in the development or implementation of one or more of the following activities at the institution requesting the waiver: (A) Academic programs, (B) Professional Programs, (C) Research Programs, (D) Service Programs, (E) Admission or Admission policies, (F) Academic Advising, (G) Faculty Appointments, or (H) Institutional Governance.
- (iii.) Document that the full time faculty, as a group, participate in all of the activities listed in (2)(ii.) above.
- (iv.) Document that the designated faculty shall perform the requirements of full-time faculty under Section C of the regulations – i.e., at least one-third of the classes offered shall be taught by full-time faculty of the parent institution.

(3) **Documentation includes**, but is not limited to: (i) minutes of meetings; (ii) contractual obligations; or (iii) job descriptions.

(4) Your request will be considered at a regularly scheduled meeting of the Maryland Higher Education Commission.