



Office of the Provost and Vice President for Academic Affairs

MEMORANDUM

Date: November 18, 2020

To: Dr. James D. Fielder, Jr., Secretary of Higher Education
Maryland Higher Education Commission

From: Dr. Lesia Crumpton-Young
Provost and Senior Vice President for Academic Affairs
Morgan State University

RE: Morgan State University's Objection to Substantial Modification to the Existing Doctorate in Management with an A.o.C. in Community College Policy and Administration from the University of Maryland Global Campus

Please find attached Morgan State University's objection to the University of Maryland Global Campus's proposal to substantially modify the existing Doctorate program in Management with an A.o.C. in Community College Policy and Administration. Morgan State University objects to this proposal because the proposed substantial modification constitutes unreasonable program duplication which would cause demonstrable harm to Morgan State University's Ed.D. in Community College Leadership program. Thank you for your consideration of our objection. If you need any additional information, please do not hesitate to contact me at lesia.young@morgan.edu or (443)885-3350.

c: Dr. David Wilson, President, Morgan State University
Dr. Farzad Moazzami, Interim Assistant Vice President for Academic Affairs, MSU
Dr. Glenda Prime, Dean, School of Education and Urban Studies, MSU
Dr. Emily Dow, Assistant Secretary for Academic Affairs, Maryland Higher Education Commission

REVISED SUBMISSION

Morgan State University's Objection to Substantial Modification to the Existing Doctorate in Management with an A.o.C. in Community College Policy and Administration from University of Maryland Global Campus

In 2013, U.S. District Court Judge Catherine Blake ruled in *Coalition for Equity and Excellence in Maryland Higher Education et al. v. Maryland Higher Education Commission et al.* that the State of Maryland violated the U.S. Constitution by maintaining vestiges of the prior de jure system of segregation in the form of unnecessary program duplication in the public higher education system in the state of Maryland. It is this federal district court *Coalition* case and the associated constitutional violations which are currently on appeal before the United States Court of Appeals for the Fourth Circuit. Morgan State University (MSU) objects to this proposal on grounds that the proposed substantial modification of the Doctorate in Management with a concentration in Community College Policy and Administration, which was specifically identified in Judge Blake's ruling¹, constitutes an unnecessary and unreasonable program duplication which would cause demonstrable harm to Morgan State University and for which there is no sound educational justification. *United States v. Fordice*, 505 U.S. 717, 1992.

Morgan State University affirms that this modification would be unreasonably duplicative and would do even greater harm than existing program duplication and for which there lacks an educationally sound justification. Therefore, Morgan respectfully requests that the proposed program modification be denied to prevent more serious harm to Morgan's Ed.D. in Community College Leadership program. (HEGIS Code 0805, CIP 13.0407). The Community College Leadership Program at Morgan was established in 1998, and in 2008 became Morgan's only fully online doctoral program. Since its inception in 1998, the Program has graduated one hundred eighty (180) students, many of whom are currently occupying leadership roles in the community college sector, nationwide. The program yields approximately twenty-five (25%) percent of the University's annual output of doctoral graduates.

Following are the bases for this objection.

1. The proposed modification of the existing Doctor of Management in Community College Policy and Administration (DMCCPA) will now substantially expand the program's focus on the community college by increasing the number of courses that have an explicit focus on issues related to the community college from two (2) to six (6). In Section F of

¹ In 2013, Judge Blake found in the Coalition case that unnecessary program duplication continues to be an issue for the State, and she further noted that only after Morgan objected to the proposed Doctorate of Management degree in Community College Leadership at UMUC (now, known as University of Maryland Global Campus) in a proposal submitted by UMUC in 2009 did MHEC address the potential duplicative effects of that program. See, Coalition for Equity and Excellence in Maryland Higher Education et al. v. Maryland Higher Education Commission et al., Case 1:06-cv-02773-CCB, dated October 7, 2013, page 52. After deciding that the program was unreasonable duplicative, MHEC permitted UMUC to offer its program only to out of state students.

the UMGC proposal, **Relevance to the Identity of Historically Black Institutions**, UMGC claims that its Doctor of Management program, established in 2009, “successfully co-existed” with Morgan’s Ed.D. in Community College Leadership and that the “proposed curriculum revision should have no material bearing on the Morgan State program.” Morgan asserts that such “peaceful co-existence” as occurred was due to the fact that the original form of the program did not provide a strong enough focus on the community college to attract students who were seeking career preparation for leadership in the community college sector. The focus of the original program was on policy and administration, rather than on community college *leadership*. Morgan’s program provided the only pathway in the state to career preparation in community college leadership. The proposed modification, with its enhanced focus on community college related courses, represents a significant shift in the focus of the program and is clearly directed at students seeking leadership positions in the community college sector which is the same population served by Morgan’s program. **The proposed modification thus represents an unreasonable duplication of Morgan’s Ed.D. Community College Leadership Program.**

2. UMGC describes the mission of the DMCCPA as “preparing its students for advancing their careers in community college leadership” The mission of Morgan’s Ed.D in Community College Leadership as published on its website makes it clear that both programs have the same mission, ...“To help fulfill the university's mission, our esteemed faculty prepare students to emerge from the program equipped to handle the unique and diverse leadership challenges associated with leading and teaching in the 21st century community college.” [Community College Program website](#). This refutes the argument offered in the UMGC proposal **(D. Reasonableness of Program Duplication)** that its program is distinct from others in that it is an applied professional doctoral degree rather than a research-oriented one. **The mission of the DMCCPA is the same as that of the Morgan Ed.D. in Community College Leadership and thus this program constitutes unreasonable duplication.**
3. The DMCCPA proposal describes its research courses as having an emphasis on real world challenges and situations. This feature of the UMGC program does not make it unique as the proposal claims. The Morgan program explicitly states that its research training is intended to equip students to apply research-generated knowledge to their practice as community college professionals. Indeed, the program is marketed as a “theory to practice program.” The research components of the two programs are equivalent in content although the Morgan component contains an Introduction to Research. The changing nature of higher education including the community college sector, demands that in addition to its practical application, professionals be skilled in

conducting the research needed to inform policies and practices that are responsive to changes in the field.

4. The program structure of the proposed DMCCPA represents a replication of that of Morgan's Ed.D. in Community College Leadership. The following table illustrates the match between some of the course offerings of the DMCCPA and Morgan's Ed.D., Community College Leadership program. Excerpts of the course descriptions provided in the table are illustrative of the content duplication that this proposal represents.

Table 1

Community College History and Structure <i>Surveys the history of community colleges... reviews ... governance, funding, student success</i>	The American Community College <i>Emphasis on historical development, mission, structure, function, student demographics and governance</i>
The Community College Student <i>... analysis of the characteristics of community college students... focus on equity, race, ethnicity...</i>	Contemporary Issues in Community Colleges <i>... emphasis on standards, diversity, access, student success, learning centered colleges</i> Student Development in Community College <i>... Exploration of how technology and other societal changes have transformed student development</i>
Transformational Leadership and Change Management <i>Develop an understanding of the qualities of leadership ... examine ... key theories of leadership</i>	Leadership and Administration in Community Colleges <i>Examine theories and principles of leadership and administration and applies them to concrete urban community college situations</i>
Management and Strategic Planning <i>... organizational theory, strategic thinking and strategic planning, theories of decision making, leadership, organizational culture and management</i>	Community College Planning and Management <i>Examines the theory and practice of strategic planning and management in the contemporary comprehensive community college</i>
Education Policy and Advocacy <i>...national, state and local policy formation... policy implementation, and policy</i>	Politics of Education <i>...the role of politics in colleges and universities... Addresses the issues of</i>

<i>consequences... process by which community college leaders advocate for students and organizations</i>	<i>pressure groups, political tactics and strategies in academic and administrative decision-making</i>
Management Seminar/ Community College Governance <i>...critical role of governance and governing boards, The Board-CEO relationship. Develop the capacity to lead an institution with Board support</i> Management Seminar/ Education Law and Applied Management <i>Key aspects of Education law... shared governance, labor contracts, human resources, crisis management</i>	Community College Trustees and Governing Boards <i>...the role of trustees... examines forms of governance, board/CEO roles, leadership issues ... board efficiency and productivity</i> Legal Aspects of Education <i>Analyzes legal issues related to education...major court decisions ... religion, academic freedom, due process...</i>
Resource Development and Strategic Allocation <i>...examination of both sides of the finance equation... community college revenue sources....understand financial analytics...</i>	Community College Finance and Budgeting <i>... theories and principles of finance and budgeting... formula based funding, budget development and allocation processes</i>

In addition to the courses shown above the DMCCPA includes two research methods courses, which, not unexpectedly, closely mirror the content of the three research methods courses in Morgan's Community College program. **Exclusive of the dissertation courses, the DMCCPA proposal shows twenty-seven (27) credits of required coursework of which twenty-one (21) credits (shown in the table above) or seventy-seven (77%) percent are duplicative of the courses currently required in the Morgan Ed.D. Community College Leadership program. Morgan contends that this constitutes unreasonable duplication.**

- Another claim made by UMGC for the uniqueness of the DMCCPA program is the fact that it is designed to accommodate working professionals who cannot attend classes on a full time basis. Again, this arrangement is not unique. The Morgan program is designed for a combination of synchronous and asynchronous learning with synchronous courses being taught on weekends only. Students take three (3) five-week courses consecutively over a fifteen-week semester. This structure has been employed successfully since the inception of the program and has been shown to meet the needs of working professionals. **The DMCCPA is not unique in this regard.**

6. UMGC claims that the DMCCPA will not recruit from within the State of Maryland and that the program is geared to serve a national audience. The proposal states that because of this, the proposal is “minimizing any potential competition with Morgan State’s program”. The Morgan Ed.D. in Community College Leadership has never restricted its enrolment to students from within the State of Maryland. The program is an online program and serves working adults within the state, the region and the nation, so the fact that UMGC will not admit students who are resident in Maryland is of no consequence. The program will be in direct competition with the Morgan Community College Leadership program. Following are the 2015-2020 data for the place of residence for students admitted to the Morgan Program.

Fall 2015 – Fall 2020 CCLP New Admits by In-State/Out-of-State
Maryland Residents – 97
Out-of-State – 54
Unknown – 5

The proposed modification of the DMCCPA will do demonstrable harm to Morgan State University.

In addition to the aforementioned bases of Morgan State University’s objection, the following factors provide additional grounds for Morgan’s claim that the proposed program is unreasonably duplicative:

1. Market Demand

The UMGC proposal cites the number of Unique Job Postings for Education Administrators, Postsecondary 2018-2020 as 320 for Maryland and 11,084 nationally. The proposal cites those numbers in support of its claim that the need to prepare such large numbers of professionals for these roles justifies implementation of the DMCCPA, in addition to the existing program at Morgan. In fact, those numbers are for the entire Post-secondary sector, inclusive of 4-year institutions. Given that there are 1,050 community colleges nation-wide (AAAC, Fast Facts, 2020), the number cited is not an accurate representation of the market for community college leaders. The actual market in the community college sector is considerably less than those numbers suggest. In light of the number of community colleges nationwide, Morgan’s market share is very likely to be negatively impacted by the implementation of the DMCCPA.

Table 6. “Community College Education Program Completers Nationally, 2008-2028”, of the UMGC proposal shows the number of program completers for 2008 to 2018 and the projections for 2023 and 2028. The following table shows the contribution of the Morgan program to those numbers.

Community College Program Completers, 2008- 2028: Nationally and for Morgan State University

	2008	2013	2018	2023 <i>Projected</i>	2028 <i>Projected</i>
Nationally	102	138	403	538	673
Morgan	10	6	16	77	298

The anticipated number of graduates from the Morgan program for 2020 is 25. The projected numbers for 2023 and 2028 shown in the table above are based on a static rate of increase.

2. Comparison of Tuition Costs, Admission Requirements and Graduation Requirements.

	Tuition	Admission Requirements	Graduation Requirements
Morgan's CCLP	\$894/credit	Master's Degree and One Year's Community College Experience	60 credits inclusive of dissertation
DMCCPA	\$1087/credit	(not stated)	54 credits inclusive of dissertation

3. Demonstrable Harm to Morgan State University

The foregoing facts make it clear that in its mission, its content and its potential applicant pool, the proposed substantial modification to the UMGC Doctor of Management in Community College Policy and Administration constitutes unreasonable duplication of Morgan State University's Ed.D. in Community College Leadership program. Further, Morgan's Ed.D. in Community College Leadership program is the University's flagship online doctoral program and contributes enormously to Morgan's annual output of doctoral graduates. Approval of this modification to UMGC DMCCPA places it in direct competition with Morgan's Community College Leadership doctoral program.

Conclusion

Several features of the Morgan State University Ed.D. program in Community College Leadership make it better suited to meeting the needs of the state and nation for the preparation of Community College leaders and administrators than the proposed UMGC DMCCPA.

- 1. Faculty who are experienced and qualified community college practitioners.** The program Director in the Morgan Ed.D. Community College Leadership program holds the Ph.D. in Higher Education with a concentration in Community College Leadership and has

had more than 40 years' experience in the field. She has served as Chancellor of two (2) different community colleges prior to her appointment as director. She has served as Chair of the Board of the American Association of Community Colleges (AACC) and in the centennial year of that organization received the Organization's Leadership Award. Three (3) other full-time faculty have been former community college presidents. Students benefit from the ability to ground theoretical principles in their real world experiences.

2. **Internships.** All students benefit from an internship under the supervision of seasoned practitioners across the country. One year's experience in the community college is an admission requirement for the program, so interns are intentionally placed in sites, and with practitioners, where they have experiences that build on the competencies they have already acquired, and also expose them to growth areas. In this way they have the opportunity to enhance their repertoire of competencies in a field that is rapidly changing.
3. **Cohort Model.** The program is designed on the cohort model. Cohorts of seven to ten students move through the program together forming in effect, a learning community. This model, together with dedicated faculty advising, provides the support that students need as they face the challenge of doctoral study while being working professionals. Cohorts also form supporting networks after students have graduated and are serving in leadership positions.
4. **Established History.** Morgan's Ed.D., established in 1998, has acquired a national reputation in the field of community college leadership and has grown steadily since its inception, having enrolled five hundred forty-seven (547) scholars, and with a current enrollment of one hundred thirty-five (135). The curriculum is continually revised to reflect changing emphases and priorities in the community college sector nationally.
5. **Face-to-Face Option.** To meet the needs of students in different circumstances, the Program offers a face-to-face option with courses taught entirely on weekends to accommodate working professionals who are resident in the State of Maryland and who prefer the experience of greater community that the face- to- face option provides.
6. **Adherence to Specific Knowledge Bases and Competencies.** The American Association of Community Colleges has identified the following knowledge bases and competencies as essential : organizational culture, governance, institutional policy and legislation, student success, institutional leadership, institutional infrastructure, information and analytics, advocacy and mobilizing, fundraising and relationship cultivation, communication, collaboration, and personal traits and abilities. These are intentionally addressed in the course content, internship experiences and pedagogies employed in the Community College Leadership Program of Morgan.

The Community College Leadership program at Morgan is currently meeting the national need for the development of a pipeline of community college leaders to address the growing shortage of qualified leaders and administrators for the community college sector. The successful history of the program since its inception 22 years ago, and the commitment of the University's resources position the program to continue to meet that need well into the future.

It should be noted that in 2009 the University of Maryland University College (UMUC) (the former name of the University of Maryland Global Campus) sought approval from the Maryland Higher Education Commission to implement a Community College concentration in its Doctor of Management degree program. Morgan State University objected on grounds of program duplication and prevailed. UMUC was debarred from offering its program within the state of Maryland. At that time the Commission's ruling found that "the request of [UMUC] to offer a community college concentration within its existing doctorate [program] in management to Maryland students would be unreasonably duplicative of, and demonstrably harmful to, Morgan State University's existing doctoral program in community college leadership," (Baltimore Sun, October 14, 2009). In its ruling the commission cited the Supreme Court's 1992 case *United States v. Fordice*, which held that, barring "sound educational justification," duplication of specialized and graduate academic programs at historically black and white colleges violates the equal protection clause of the 14th Amendment. (Baltimore Sun, October 22, 2009). <https://www.baltimoresun.com/news/bs-xpm-2009-10-22-0910210119-story.html>

Now eleven (11) years later, UMGC is seeking approval again for a substantial modification of the Doctor of Management program to do exactly what it was debarred from doing in 2009. Further, the Commission also ruled in 2009 that Morgan would be given first bid to develop its program for online delivery, which it has successfully done since 2010. Approval of UMGC's proposed modification now would do even greater harm to Morgan State University, given the University's considerable investment in this program.

Morgan State University objects to the approval of this program on grounds that it constitutes unreasonable duplication of its Ed.D. in Community College Leadership Program and would do demonstrable harm to Morgan State University.