

MARYLAND HIGHER EDUCATION COMMISSION

MEETING BOOKLET

Time: 1:00 PM
Wednesday, July 27, 2022

Place: Video Teleconference
(Google Meet)

Maryland Higher Education Commission

Mary Pat Seurkamp, Ph.D., Chair

Senchal D. Barrolle, Esq.

Vivian S. Boyd, Ph.D.

Lewis R. Brown, Ed.D.

James E. Coleman

Judge Barbara Kerr Howe

Charles McDaniels, Jr.

Karen B. Salmon, Ph.D.

James B. Sellinger, Sr.

Ray Serrano, Ph.D.

Craig A. Williams, Ph.D.

Sade Davis, Student Commissioner

James D. Fielder, Ph.D.
Secretary

Lawrence J. Hogan, Jr.
Governor

Boyd K. Rutherford
Lt. Governor



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Mary Pat Seurkamp, Ph. D.
Chair

James D. Fielder, Jr., Ph. D.
Secretary

**Maryland Higher Education Commission
Meeting Agenda**

TIME: 1:00 p.m.
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	Page	Action Item
Call to Order		
Chair’s and Secretary’s Remarks		
Public Comments		
Commission Minutes Approval		
• June 22, 2022	1	*
Commissioner Committee Updates		
Department of Finance and Administration – Mr. Geoffrey Newman		
Approval of Proposed Amendment to COMAR – Community Colleges Student Residency Policy – Mr. Geoffrey Newman.....	9	*
Department of Academic Affairs – Dr. Emily Dow		
Final Adoption of New Regulations and Amendments to COMAR – Transfer Between Public Institutions of Higher Education – Dr. Emily Dow.....	11	*
Review Meeting – Proposal of Morgan State University for a Bachelor of Science in Cybersecurity Intelligence Management		
Adjournment		

The next Commission meeting is on Wednesday, August 24, 2022 @ 1:00 p.m.

Maryland Higher Education Commission
Meeting Minutes

June 22, 2022
1:00 p.m.

The Maryland Higher Education Commission (MHEC) met on Wednesday, June 22, 2022 via video teleconference (Google Meet).

Commission members present:

Mary Pat Seurkamp, Ph.D., Chair	Charles McDaniels, Jr.
Vivian S. Boyd, Ph.D.	Karen B. Salmon, Ph.D.
James E. Coleman	Ray Serrano, Ph.D.
Judge Barbara Kerr Howe	Haleemat Y. Adekoya, Student Commissioner

Commissions members absent:

Senchal D. Barrolle, Esq.	James B. Sellinger, Sr.
Lewis R. Brown, Ed.D.	Craig A. Williams, Ph.D.

Staff members present:

James D. Fielder, Ph.D.	Emily A. A. Dow, Ph.D.
Rhonda Wardlaw	Lee Towers
Soma Kedia	Trish Gordon McCown
Donna Thomas	Geoffrey Newman
Jacqueline Cade	

Call to Order

The meeting was called to order by **Chair Seurkamp** at approximately 1:03 p.m. A meeting quorum was established with eight (8) out of twelve (12) members present.

Chair's Remarks

Chair Seurkamp welcomed and thanked everyone for attending today's meeting. She gave a brief overview of the meeting agenda and encouraged Commissioners to volunteer or nominate someone to serve as the Commission Vice Chair. **Chair Seurkamp** also reminded everyone that there will be review meetings in July and August scheduled during the time of the regular monthly Commission meetings.

Secretary's Remarks

Secretary Fielder reported that with the new fiscal year starting on July 1, MHEC will be adding 10 staff members for the new academic program review unit (resulting from the HBCU coalition settlement). The first 5 are currently being processed and will begin their employment sometime in July. We are also in the midst of preparing the physical space to accommodate them in our building. Additionally, MHEC met with Morgan State University's Provost to discuss their new academic program requests. We will be meeting next with the 3 HBCUs that are part of the University System of Maryland to discuss the same.

Public Comments

There were no public comments.

Commission Minutes Approval

Commissioner Salmon motioned to approve the May 25, 2022 meeting minutes.

Commissioner Serrano seconded the motion, and the motion was approved unanimously.

Commissioner Committee Updates

Education Policy Committee: Commissioner Boyd reported that there had not been much activity in the Committee recently. She noted that Student Commissioner Adekoya's term was ending soon. **Chair Seurkamp** remarked that Commissioner Adekoya had been a great addition and a great contributor to the Commission. **Secretary Fielder** added that nominations for Student Commissioner have been submitted to the Governor's Office for consideration.

Outreach, Grants, and Financial Assistance Committee: Commissioner Adekoya informed the Commission that there were no recent meetings of the Committee.

Finance and Operations Committee: Mr. Geoffrey Newman (Assistant Secretary for Finance and Administration) reported that the agency has been experiencing some turnover recently. However, they are working as quickly as possible to refill those vacancies.

Diversity, Equity, and Inclusion Committee: Commissioner McDaniels reported that the Committee met in June and are currently working on their mission statement, which they hope to finalize by their next meeting. Secretary Fielder joined their last meeting where they were able to establish some goals for the remainder of the year. Additionally, they will reach out to the Diversity, Equity, and Inclusion (DEI) staff at some of the institutions this fall to learn about their work.

Department of Academic Affairs – 2021-2022 Faculty Advisory Council Annual Report – Information Item

Chair Seurkamp recognized Dr. Emily Dow, Assistant Secretary for Academic Affairs, who presented the Council's recommendations and the topics discussed during the 2021-2022 academic year. These recommendations were related to the following topics: pathway from 2-year to 4-year institutions, developmental education, test-optional admissions, faculty tenure,

promotion & unionization, social justice & systemic racism, and faculty professional development. There were two presentations on transfer (one being a carry-over from the previous Council). Some of the recommendations from the presentations on transfer were included in the regulations, and some will be in the guidance document to institutions.

Commissioner McDaniels asked which recommendations will be implemented by staff and which require feedback from the Commission. Dr. Dow answered that some of the recommendations have been adopted already in regulations changes and some may still require input from the Commissioners. **Chair Seurkamp** inquired if the list of recommendations could be separated into those that have been implemented, those requiring feedback from the Commissioners, and those that will go out to the institutions as suggestions. Dr. Dow responded that she could provide such a summary for the Commission at either the July or August meeting. **Commissioner Boyd** asked if the Faculty Advisory Council could look at the impact of COVID, perhaps explore training options regarding online teaching for faculty, and consider how to address these far-reaching changes. Dr. Dow replied that COVID was an important consideration and that Council members shared updates regarding its impact and what they were doing about it at each of their meetings.

Department of Academic Affairs – Final Adoption of the 2022 Maryland State Plan for Higher Education – Action Item

Chair Seurkamp recognized Dr. Dow who reported that she has recently received new feedback on the State Plan from the Commissioners, as well as some higher education segment representatives. She reviewed the various changes made to the version already seen by the Commissioners. These changes included the addition of certain words or phrases to clarify certain ideas. Other changes were made to improve the document's overall flow. Dr. Dow recommended that the Commission accept and approve the 2022 Maryland State Plan for Higher Education.

Commissioner Serrano commented that there was very little mention of Maryland's HBCUs (Historically Black Colleges and Universities) in the State Plan. Dr. Dow noted that the State Plan was for all higher education in Maryland. There followed a discussion regarding what additional remarks could include and where they could be placed. **Commissioner Howe** made a motion to approve the 2022 Maryland State Plan for Higher Education with the understanding that additional language would be inserted by the Secretary related to HBCUs. **Commissioner Coleman** seconded the motion, and the motion passed unanimously.

Department of Finance and Administration – Office of Student Financial Assistance – Final Adoption of Amendments to COMAR 13B.08.02.02 – Janet L. Hoffman Loan Assistance Repayment Program – Action Item

Chair Seurkamp recognized Mr. Newman who asked Ms. Donna Thomas, the Director of the Office of Student Financial Assistance, to present this item. Ms. Thomas reported that on March 23, 2022, the Commission approved proposed amendments to the regulations for the Janet L. Hoffman Loan Assistance Repayment Program, which provides State assistance in the repayment of educational loans for the purpose of attracting qualified individuals to fields of

employment in government and the nonprofit sector, particularly those in which there are critical manpower shortages in the State and lower salaries than in the private sector. The purpose of the amendments is to make changes reflecting the Blueprint for Maryland's Future— Implementation, 2021 Maryland Laws Ch. 36 (House Bill 1300 (2020)) by expanding eligibility for the Program to include public school teachers who teach fine arts subjects and to redefine the pool of schools in which public school teachers may complete their service requirement for the Program based on the percentage of students enrolled in free and reduced price lunch programs and a school's loss of Title I status.

The proposed amendments were published in the Maryland Register on May 6, 2022. The public comment period for the amendments ended on June 6, 2022, and no public comments were received. The regulatory amendments became eligible for final adoption on June 21, 2022. The proposed amendments to the regulations are ready for the Commission's final adoption. The amendments will become effective 10 days after notice of the final adoption is published in the Maryland Register.

Ms. Thomas recommended that the Commission approve for final adoption the proposed amendments to the regulations for the Janet L. Hoffman Loan Assistance Repayment Program. **Commissioner Salmon** made a motion for approval, and **Commissioner Coleman** seconded the motion. The motion was approved unanimously.

Department of Finance and Administration – Office of Student Financial Assistance – Final Adoption of Amendments to COMAR 13B.08.10.03 – Delegate Howard P. Rawlings Educational Excellence Awards Program – Action Item

Chair Seurkamp recognized Ms. Thomas to present this item. Ms. Thomas reported that on March 23, 2022, the Commission approved proposed amendments to the regulations for the Delegate Howard P. Rawlings Educational Excellence Awards Program, which provides need-based financial assistance to students, including through the provision of Guaranteed Access Grants. The purpose of the amendments is to make changes to the Guaranteed Access Grant Program that were passed during the 2021 Session by expanding the eligibility criteria for secondary school students to prequalify for the Grant prior to their senior year of high school.

The proposed amendments were published in the Maryland Register on May 6, 2022. The public comment period for the amendments ended on June 6, 2022, and no public comments were received. The regulatory amendments became eligible for final adoption on June 21, 2022. The proposed amendments to the regulations are ready for the Commission's final adoption. The amendments will become effective 10 days after notice of the final adoption is published in the Maryland Register.

Ms. Thomas recommended that the Commission approve for final adoption the proposed amendments to the regulations for the Delegate Howard P. Rawlings Educational Excellence Awards Programs. **Commissioner McDaniels** made a motion for approval, and **Commissioner Howe** seconded the motion. The motion passed unanimously.

Department of Finance and Administration – Office of Student Financial Assistance – Final Adoption of New Regulations for COMAR – Teaching Fellows for Maryland Scholarship Program – Action Item

Chair Seurkamp recognized Ms. Thomas to present this item. Ms. Thomas reported that on March 23, 2022, the Commission approved new regulations for the Teaching Fellows for Maryland Scholarship Program, which provides financial assistance to Maryland students who, upon completion of an undergraduate or graduate teacher certification program, pledge to work as public school or public prekindergarten teachers at Maryland schools that have at least 50% of the students in the school eligible for free or reduced price meals (FRPM). The program is available to students attending all public senior higher education institutions in the State and to students attending any private nonprofit institution of higher education in the State that has agreed to provide matching grants to awardees. Private nonprofit institutions must confirm their commitment to provide matching grants by annually submitting a Participation Agreement to OSFA.

The proposed amendments were published in the Maryland Register on May 6, 2022. The public comment period for the amendments ended on June 6, 2022. One public comment was received, from the Maryland Independent College and University Association (MICUA), and is enclosed. The public comment is regarding the annual submission of Participation Agreements. The proposed regulations stated that a deadline to submit a Participation Agreement would be determined annually; MICUA requests that a certain date be established to assist institutions with their annual planning.

Pursuant to MICUA's request, two minor changes have been made to the appropriate proposed regulation. In addition to adding an annual deadline date for institutions to submit Participation Agreements to OSFA (March 1), an annual deadline date for OSFA to distribute the annual Participation Agreements to institutions (February 1) has been added to ensure that institutions have sufficient time for completion and submission.

The regulations became eligible for final adoption on June 21, 2022. Changes to proposed regulations may be made in the process of final adoption if they are certified as nonsubstantive by an agency's legal counsel. Because these changes simply add specific dates based on OSFA's current practices, they have been determined to be nonsubstantive by MHEC's Assistant Attorneys General. The proposed regulations are ready for the Commission's final adoption, with the nonsubstantive changes to Regulation .03 shown in the referenced text. The amendments will become effective 10 days after notice of the final adoption is published in the Maryland Register.

Ms. Thomas recommended that the Commission approve for final adoption the proposed regulations, including the nonsubstantive changes indicated in the text, for the Teaching Fellows for Maryland Scholarship Program. **Commissioner Howe** motioned for approval, and **Commissioner Boyd** seconded the motion. The motion was approved unanimously.

Department of Finance and Administration – Office of Student Financial Assistance – Approval of Proposed Amendment to COMAR 13B.08.01.02 – 2+2 Transfer Scholarship Program – Action Item

Chair Seurkamp recognized Ms. Thomas to present this item. Ms. Thomas reported that under § 18-2501, *et seq.*, of the Education Article, Annotated Code of Maryland, the 2+2 Transfer Scholarship Program provides financial assistance to encourage community college graduates to transfer to 4-year institutions of higher education and complete a bachelor’s degree program. This scholarship program is governed by COMAR 13B.08.01.

Currently, § 18-2503 of the Education Article requires OSFA to use the federally calculated expected family contribution (EFC) in determining the financial need of an applicant for this scholarship. However, the U. S. Department of Education is in the process of replacing EFC with a different measure of financial need, the student aid index (SAI). In anticipation of this change, during the 2022 session, the legislature enacted House Bill 734 (Ch. 23), which allows OSFA the discretion to determine the best measure of financial need for this scholarship. The proposed regulatory amendment reflects this change.

The proposed regulatory amendment has been approved for legality by MHEC’s Assistant Attorneys General as required by the Maryland Administrative Procedure Act. Upon approval, proposed regulations and regulatory amendments are submitted to the legislature’s Joint Committee on Administrative, Executive, and Legislature Review (AELR), after which they are submitted to the Division of State Documents (DSD) for publication in the Maryland Register. After a public comment period, they may be brought back before the Commission for final adoption.

Ms. Thomas recommended that the Commission: (1) approve for publication in the Maryland Register the proposed regulatory amendment to the 2+2 Transfer Scholarship Program; and (2) authorize its Assistant Attorneys General to make nonsubstantive edits to the proposed regulations to conform to the stylistic and formatting requirements of AELR and DSD. Some clarifying questions were asked about the proposed amendment. **Commissioner Howe** made a motion for approval and **Commissioner Coleman** seconded the motion. The motion was approved unanimously.

Department of Finance and Administration – Office of Student Financial Assistance – Approval of Proposed Amendment to COMAR 13B.08.13.03 – Edward T. and Mary A. Conroy Memorial Scholarship Program and Jean B. Cryor Memorial Scholarship Program – Action Item

Chair Seurkamp recognized Ms. Thomas to present this item. Ms. Thomas reported that under § 18-601 of the Education Article, Annotated Code of Maryland, the Edward T. and Mary A. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program provide financial assistance to certain veterans, first responders, local public safety employees and their families and to the families of school employees who died or were disabled as a result of an act of violence, respectively. These scholarship programs are governed by COMAR 13B.08.13.

Currently, these scholarships are available to students at degree-granting institutions only. During the 2022 session, the legislature enacted House Bill 734 (Ch. 23), which expands eligibility for the program to students who attend private career schools. The proposed regulatory amendments reflect this change.

The proposed regulatory amendments have been approved for legality by MHEC's Assistant Attorneys General as required by the Maryland Administrative Procedure Act. Upon approval, the proposed regulations and regulatory amendments are submitted to the legislature's Joint Committee on Administrative, Executive, and Legislative Review (AELR), after which they are submitted to the Division of State Documents (DSD) for publication in the Maryland Register. After a public comment period, they may be brought back before the Commission for final adoption.

Ms. Thomas recommended that the Commission: (1) approve for publication in the Maryland Register the proposed regulatory amendments to the Edward T. and Mary A. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program; and (2) authorize its Assistant Attorneys General to make nonsubstantive edits to the proposed regulations to conform to the stylistic and formatting requirements of AELR and DSD.

Department of Finance and Administration – Office of Student Financial Assistance – Approval of Proposed Amendments to COMAR 13B.08.14 – Workforce Shortage Student Assistance Grant Program – Action Item

Chair Seurkamp recognized Ms. Thomas to present this item. Ms. Thomas reported that under § 18-708 of the Education Article, Annotated Code of Maryland, the Workforce Shortage Student Assistance Grant Program provides financial assistance to students in certain majors who agree to use their degree to obtain employment in fields of critical shortage in the State after graduation. The current areas of shortage include early childhood education, special education, certain teaching fields, aging services, disability services, mental health, physical and occupational therapy, nursing, and social work. This scholarship program is governed by COMAR 13B.08.14.

Currently, MHEC's regulations for this program require the submission of a high school or college transcript and prioritize the selection of applicants primarily by high school or college GPA. Applicants are not required to complete the FAFSA, so a student's financial need is a secondary factor or is not taken into account at all. The purpose of the proposed regulatory amendments is to provide a specific process for students who obtained their GED, but have not yet enrolled in a college or university, to apply for the scholarship. Because these applicants are not able to submit either a high school or college GPA, the regulatory amendments also add a FAFSA filing requirement, enabling a modification of the selection process to prioritize applicants by financial need rather than GPA.

The proposed regulatory amendments have been approved for legality by MHEC's Assistant Attorneys General as required by the Maryland Administrative Procedure Act. Upon approval, the proposed regulations and regulatory amendments are submitted to the legislature's Joint

Committee on Administrative, Executive, and Legislative Review (AELR), after which they are submitted to the Division of State Documents (DSD) for publication in the Maryland Register. After a public comment period, they may be brought back before the Commission for final adoption.

Ms. Thomas recommended that the Commission: (1) approve for publication in the Maryland Register the proposed regulatory amendments to the Workforce Shortage Student Assistance Grant Program; and (2) authorize its Assistant Attorneys General to make nonsubstantive edits to the proposed regulations to conform to the stylistic and formatting requirements of AELR and DSD. **Commissioner Salmon** made a motion for approval and **Commissioner Howe** seconded the motion. The motion was approved unanimously.

Adjournment

Commissioner Serrano made a motion to adjourn and **Commissioner Coleman** seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 2:17 p.m.



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Mary Pat Seurkamp, Ph.D.
Chair

James D. Fielder, Jr., Ph. D.
Secretary

MEMORANDUM

DATE: July 27, 2022

TO: Maryland Higher Education Commissioners

FROM: Geoffrey Newman, Assistant Secretary for Finance and Administration

SUBJECT: Approval of Proposed Amendments to COMAR 13B.07.02.03 –
Community Colleges Student Residency Policy

In 2022, the State enacted § 15-106.11 of the Education Article, Annotated Code of Maryland. The new statutory provision exempts returned Peace Corps volunteers who are domiciled in the State from paying nonresident tuition at a public institution of higher education in the State and establishes that returned Peace Corps volunteer students shall be included as in-State residents for the computation of State aid to community colleges.

Enclosed for your review and approval is a proposed regulatory amendment that reflects that returned Peace Corps volunteer students, as defined in State law, shall be included as in-State residents for the computation of State aid to community colleges. These amendments have been approved for legality by MHEC's Assistant Attorneys General as required by the Maryland Administrative Procedure Act. They are now enclosed for your review and approval.

Upon your approval, proposed regulations and regulatory amendments are submitted to the legislature's Joint Committee on Administrative, Executive, and Legislative Review (AELR), after which they are submitted to the Division of State Documents (DSD) for publication in the Maryland Register. After a public comment period, they may be brought back before the Commission for final adoption.

RECOMMENDATION: It is recommended that the Commission:

- (1) Approves for publication in the Maryland Register the enclosed proposed regulatory amendment to the computation of State aid to community colleges; and
- (2) Authorizes its Assistant Attorneys General to make non-substantive edits to the proposed regulation to conform to the stylistic and formatting requirements of AELR and DSD.

Title 13B MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 07 COMMUNITY COLLEGES

Chapter 2 General Regulations and Policies for Community Colleges

Authority: Education Article, Titles 11, 15 and 16, Annotated Code of Maryland

.03 Student Residency Policy.

F. The following students shall be considered to be Maryland residents (not applicable to Baltimore City Community College):

(1) Military personnel and their dependents who have a domicile in Maryland at the time of entrance into the armed forces and who are stationed outside the State;

(2) Military personnel stationed in Maryland and on active duty who did not have a domicile in Maryland at the time of entrance into the armed forces, and their dependents;

(3) A student enrolled in a program designated by the Commission as a health manpower shortage program;
~~and~~

(4) A student from outside the State who enrolls as part of a reciprocity agreement negotiated between Maryland and another state; ~~and~~

(5) A “returned Peace Corps volunteer” under Education Article, §15-106.11, Annotated Code of Maryland, who attends a public institution of higher education in the State.



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Mary Pat Seurkamp, Ph.D.
Chair

James D. Fielder, Jr., Ph. D.
Secretary

MEMORANDUM

DATE: July 27, 2022

TO: Maryland Higher Education Commissioners

FROM: Emily A. A. Dow, Ph.D., Assistant Secretary for Academic Affairs

SUBJECT: Final Adoption of New Regulations and Amendments to COMAR –
Transfer Between Public Institutions of Higher Education

On March 23, 2022, the Commission approved for publication in the Maryland Register proposed new regulations and regulatory amendments regarding the transfer of students between public institutions of higher education in the State. A draft version of these regulations had been presented to the Commissioners at the February 23, 2022, Commission Meeting, in order to obtain feedback from Commissioners and community stakeholders prior to publication. The regulations repeal all 9 existing MHEC regulations governing transfer and articulation agreements, replace them with 15 new regulations, and amend 5 other existing regulations to:

- (1) Add a transfer evaluation and review process to implement the Transfer with Success Act (Chs. 188 and 189, Acts of 2021), which amended § 11-207 of the Education Article, Annotated Code of Maryland;
- (2) Create new Statewide standards for the evaluation of course and credit transfer requests by students and clarify existing standards, including distinguishing between the transferability of completed courses and the awarding of credit for transferred courses;
- (3) Create new requirements regarding public availability of transfer policies and information to create more transparency for students engaging in the transfer process and make course planning and registration more straightforward;
- (4) Encourage collaboration between institutions and create concrete transfer and articulation requirements for public institutions requesting approval for new academic programs or substantial modifications to existing academic programs;
- (5) Significantly reorganize the existing regulations regarding student transfer, rewrite existing transfer provisions in a manner that is clear and direct, and add new terms and definitions to enhance readability by students and university staff who need to navigate the complex standards and processes governing student transfer;

- (6) Make language and organizational clarifications to regulations governing general education for public institutions and add a requirement to identify general education courses on student transcripts to assist with transfer evaluation; and
- (7) Replace outdated terminology and update various chapter and regulation names, cross-references, and definitions to align with the proposed amendments.

The proposed regulations were published in the Maryland Register on May 6, 2022. The public comment period for the regulations ended on June 6, 2022. Public comments were received from:

1. Jenny Froh, Manager/Transfer Credit Services, Office of the Registrar, University of Maryland;
2. James B. Massey Jr., Director of Undergraduate Admissions, University of Maryland;
3. Amy Moffatt, Assistant Vice President, University Admissions, Towson University;
4. Paul Moniodis, Assistant Provost for Institutional Research, University of Baltimore; and
5. Blakely R. Pomietto, MPH, Senior Vice President and Chief Academic Officer, University of Maryland Global Campus (UMGC).

These comments are enclosed with this memorandum. Staff carefully reviewed each public comment and held follow-up meetings with Mr. Moniodis and with Ms. Pomietto and a team from UMGC to obtain additional information and clarification regarding their comments. Based on the comments and meeting with UMGC, we held an additional meeting with representatives from Anne Arundel Community College and Salisbury University to get additional perspectives on issues raised in the comments. We would like to thank all of these individuals for the time and thoughtfulness that went into their written comments and follow-up meetings, as well as for their contribution to ensuring accuracy, clarity, and functionality in these regulations. While several comments contained inaccuracies and misunderstandings, overall they have led to necessary and meaningful changes in the regulations.

The attached text includes two nonsubstantive changes based on these comments. Changes to proposed regulations may be made in the process of final adoption if they are certified as nonsubstantive by an agency's legal counsel.

1. Two commenters noted that the definition of "transfer student" had a misplaced phrase that modified the meaning of the definition. This was a drafting error and a change has been made to clarify that a transfer student is a student who completed prior college coursework after graduating from high school, and not before. Because this drafting error restores the definition to the meaning it has under our current regulations, counsel has determined that it is nonsubstantive.¹ This change is on p. 5 of the attached regulations.

¹ Several commenters raised an additional issue regarding this definition and its possible effect on institutional policies regarding admission of transfer students. However, all regulatory definitions apply only within the regulatory text and do not apply within any institutional policies.

2. The proposed regulations included a requirement that full articulation agreements be published in an institution's course catalog. Comments noted the challenges this requirement poses, particularly when catalogs are physically printed. Consequently, this requirement has been removed, though institutions will still be required to post full articulation agreements in publicly accessible sources. Because this change removes a minor requirement, resulting in a slightly lower burden on institutions without any substantial increase in the burden to students in locating the agreements, it has been determined to be nonsubstantive by counsel.² This change is on both p. 6 and p. 9 of the attached regulations.

The comments also led to the discussion of an additional, substantial, issue regarding the transferability equivalency standard and the transfer evaluation process that has been informally raised by institutions over the past year. On the premise that the transferability of a course should apply to all students across the board, regardless of academic program, these regulations draw a distinction between the transferability of completed courses and the awarding of credit for completed courses. We have come to believe that adding additional provisions to provide more detail regarding this paradigm shift is necessary to balance the needs of transfer students and ensure equity between transfer and non-transfer students while maintaining effective procedures that do not add time-consuming or redundant processes.

However, because this issue requires extensive changes and additional stakeholder input, we have determined that the best course of action is to address this issue in future regulatory amendments. Therefore, the enclosed regulations are ready for the Commission's final adoption, with the nonsubstantive changes to the proposed text that are shown in the document.

These new regulations and regulatory amendments will become effective 10 days after notice of the final adoption is published in the Maryland Register.

RECOMMENDATION: It is recommended that the Commission approves for final adoption the enclosed regulations, including the nonsubstantive changes indicated in the text, regarding transfer between public institutions of higher education in the State.

² In later amendments, additional changes will be made to this requirement; namely, the addition of a requirement to post all articulation agreements and other transfer information in a central, easily accessible, and publicly accessible location on an institution's website. Additionally, future amendments will require that certain information regarding articulation agreements to be included in course catalogs. However, because these changes are substantive, requiring a new public comment period, they cannot be made in this final adoption process.



Emily Dow -MHEC- <emily.dow@maryland.gov>

Proposed Regulations for HB 460

Jenny Froh <jfroh@umd.edu>
To: emily.dow@maryland.gov

Mon, Jun 6, 2022 at 5:16 PM

Hi Emily,

It is my understanding that we are to send all comments regarding the proposed regulations for HB 460 to you. If this is incorrect, please feel free to submit my comments to the relevant person. I have attached them to this email.

Thank you,

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Jenny Froh
Manager/Transfer Credit Services
Office of the Registrar
University of Maryland
1118A Mitchell Building
7999 Regents Drive|College Park, MD 20742
301-405-1435
<http://www.transfercredit.umd.edu>



HB 460 comments.docx
17K

.10 Evaluation of Individual Course Equivalencies -(13B.06.02.10)-

A) Equivalency Standard:

(1) A receiving institution shall accept a course or combination of courses completed at a sending institution for transfer when the receiving institution determines that at least **70 percent** of the course learning objectives of the course or combination of courses completed at the sending institution are equivalent to the course learning objectives of a course or combination of courses at a receiving institution.

(2) An institution may not use any other standard or method of determining the equivalency of an individual course or combination of courses at a sending institution to a course or combination of courses at a receiving institution, other than the standard set forth in §A(1) of this regulation.

Concerns Regarding these two items:

If the regulation simply indicates that a course must be acceptable for transfer credit with a 70% match on learning outcomes, this is generally a practice that we engage. But if the new regulation is indicating that a direct equivalent should be awarded based on the 70% match for learning outcomes, then we have several concerns.

- 1) Our evaluators typically require an 80% match of content and learning outcomes to award a direct equivalent. Currently, less than an 80% match would likely result in either General Education (GenEd) credit, or a general elective (provided that the course is otherwise comparable to UMD coursework in level, scope and content).
- 2) Certain courses require evidence that a specific topic is covered in the class, in order to award a direct equivalent to a UMD course (for example, MATH 246- Differential Equations- at UMD requires the graded use of MATLAB, or a similar software system). Even if a course has a 70 or 80% match in content, if that essential element is part of the missing 20-30%, the course would be awarded a GenEd, or general elective, since that content is essential knowledge for students who plan to progress to the next level of a course sequence.
- 3) Many syllabi do not provide detailed information about the learning objectives, or the learning outcomes are written to address the General Education outcomes to be learned in the course, and not the specific content that will be taught in the course. Generic learning outcomes may be adopted by a department, while the specific content taught by the professor will be revealed through the course schedule, unit information, or books that are required. Basing the evaluation solely on the learning outcomes may result in more General Education equivalents, and fewer direct course equivalents.
- 4) Some courses have similar learning outcomes. For example, our institution has two different levels of Calculus (a 3 credit social science focused Calculus, and a 4 credit math/engineering focused Calculus). We also offer about a dozen different applied statistics courses. The learning outcomes for each of these courses will likely overlap, particularly if they also satisfy General Education requirements. Without additional information such as weekly schedules, textbook chapters covered, assignment/exam details, it will be difficult to know whether the course should be evaluated by Sociology, Business, Psychology, Criminal Justice (just to name a few of the departments that offer applied statistics courses). Without that

additional information, I anticipate that the evaluation result would be a non-specific General Education course, instead of a specific course equivalent (which would benefit a student more).

5) There is a significant lack of standardization in what constitutes a learning outcome, and the expectations for what needs to be included in the course objectives vary significantly by instructor. We have seen some syllabi where the outcomes are so general that without the course ID and title, we wouldn't actually know what department the course would fall under. Other syllabi summarize the outcomes in a manner that cannot be matched quantitatively. Here is an example of an excerpt from an actual syllabus received for a Sociology course from UC-Boulder:

COURSE OBJECTIVES / STUDENT LEARNING OUTCOMES By the end of this course, my goal is that you will have a greater understanding of society and social problems and will be able to observe how inequalities in our society are not only structural but are also often directly tied to race, class, gender, sexualities, and other social inequalities. You will also gain greater knowledge of the reciprocal connection between the individual and society. In doing this, you will develop and apply critical thinking skills while you become more familiar with sociological theory and research on various social problems. Through in class and online discussions, writing assignments, and presentations, I also hope that you will gain confidence in articulating your ideas and feel able to discuss these ideas thoughtfully with others in your life.

The actual course topics, theories, and content taught were listed in the assignments, course outline, and textbook information.

B. Equivalencies shall be determined by faculty who are subject matter experts and may not be determined by non-academic staff.

If the equivalencies shall only be determined by faculty who are subject matter experts, then why is the evaluation process being decided by non-subject matter experts? Shouldn't the faculty have some say on what information is needed to determine course equivalencies? If a syllabus does not include the type of detailed course objectives that a faculty expert needs to evaluate a course for transfer, shouldn't they be allowed to utilize all of the information (e.g. course schedule, assignments, supplemental reading, etc) provided in the syllabus? To limit evaluations to learning objectives alone will likely result in more General Education evaluations, and fewer course equivalencies.

Submitted by Jenny Froh



Emily Dow -MHEC- <emily.dow@maryland.gov>

Submission of Public Comments (6/6/22) - Redefining Transfer Students

James B Massey <jbmassey@umd.edu>
To: Emily Dow -MHEC- <emily.dow@maryland.gov>

Mon, Jun 6, 2022 at 6:40 PM

Dear Emily:

I hope all is well with you. I wanted to share our thoughts and comments from Undergraduate Admissions at University of Maryland regarding the definition of transfer students and the consideration to redefine this critical student population.

It is our opinion that this change has a significant impact regarding how students would be defined and considered for admission as **Transfer Students vs Freshman** and will lead to many students who intended to be considered as Freshman applicants being classified as Transfers moving forward.

Below we have included the new proposed definition as well as the current definition and the concerns we have with a change this large.

Transfer Student Definition

New Definition:

"Transfer student" means an undergraduate student entering an institution for the first time, after earning a high school diploma or equivalent, who has successfully completed at least one course at another institution of higher education that is transferable to the institution the student is enrolling in.

<http://www.dsd.state.md.us/MDR/4910/Assembled.htm>

Under 13B.06.02

For comparison this is the current definition:

"Transfer student" means a student entering an institution for the first time having successfully completed a minimum of 12 semester hours at another institution of higher education after earning a high school diploma or equivalent that are applicable for credit at the institution the student is entering.

UMD Areas of Concern:

In the new definition there are two (2) major areas of concern. The first is the change in where **"after earning a high school diploma"** is **located** in the definition. In the current definition it clearly states that the credits earned must be earned after high school diploma. In the new definition it does not clearly state the courses must be completed after high school diploma, it only specifies that the student must be entering the institution for the first time after **earning the** High School diploma. With the language as it is, the course could be completed at any time but the student wouldn't be **considered** a transfer student until after High School graduation. This means a student **who** took dual enrollment/middle college courses would be a Transfer student as soon as they complete their diploma even though no courses were actually completed **d** after graduation. This is in direct conflict with the definition of First Time Advanced Standing students which does clarify college/university work done prior to graduation does not make a student a transfer student.

The second area of concern is the **change from 12 credits to a single course**. This would mean that students would be considered Transfer and be required to complete the Transfer admission process **even** if they took a single course. **As an example:** Even if the language was changed to specify a course completed after High School Diploma a student could take a semester off and complete **one** course and unintentionally become a Transfer student. This could lead to the loss of housing, special programs, and scholarship options that are unique to the First time student process for many institutions. In addition, most **current** guidance for competitive Transfer students encourages students to have at least one full term of work completed successfully for best chance of admission and scholarships. In most cases students with less than a full semester would be better served by a First time student review rather than a transfer student admissions process.

In addition, this change leaves very little room for error on the part of the student and their support system. If only one course is enough to push them into another Admission category, many students could unintentionally impact their future admission process without realizing it until after the fact. This would have an even more significant impact on students and families that are not extremely familiar with the college admissions process and do not have as many resources and support to make them aware of the implications before it is too late and the course has already been completed.

Request: *Considering how large and far reaching the change in this definition is, we are asking that you review the suggested changes and reconsider the change or at least incorporate a panel of colleagues from higher education institutions to assist with the review and final proposed language to be inclusive of the concerns outlined above.*

=====

Many thanks for your consideration and review of our collective concerns. On behalf of our team in Enrollment Management and The Office of Undergraduate Admissions at UMD, we certainly avail ourselves to assist with the path forward in any way needed or as would be deemed helpful and productive.

Please confirm receipt of our submission as time allows.

Warmest Regards,

James B. Massey Jr.
Director of Undergraduate Admissions
University of Maryland

James B. Massey, Jr.
Director of Undergraduate Admissions '
Enrollment Management
University of Maryland
Clarence M. Mitchell Jr. Building, [7999 Regents Drive](#)
[College Park, MD 20742](#)
(tel) 301.314.TERP | (toll free) 800.422.5867 | (fax) 301.314.9693



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President, PCACAC (2021-2022) [Join Us!](#)





Emily Dow -MHEC- <emily.dow@maryland.gov>

Transfer Definition

1 message

Moffatt, Amy <amoffatt@towson.edu>
To: "emily.dow@maryland.gov" <emily.dow@maryland.gov>

Fri, Jun 3, 2022 at 8:25 AM

Hi Emily,

-

I hope you are doing well. I wanted to provide commentary on the transfer student definition. Thank you for allowing for feedback on this matter. If you have any questions, please let me know.

Towson University only has one area of concern with where "**after earning a high school diploma**" is located in the definition. The current definition, clearly states that the credits earned must be earned after a high school diploma. The new definition, it does not clearly state the courses must be completed after a high school diploma, it only specifies that the student must be entering the institution for the first time after earning the High School diploma. With the language as it is, the course could be completed at any time but the student wouldn't be considered a transfer student until after High School graduation. This means a student who took dual enrollment/middle college courses would be a Transfer student as soon as they complete their diploma even though no courses were actually completed after graduation. This is in direct conflict with the definition of First Time Advanced Standing students which does clarify college/university work done prior to graduation does not make a student a transfer student.

Transfer Student Definition

New Definition:

"Transfer student" means an undergraduate student entering an institution for the first time, after earning a high school diploma or equivalent, who has successfully completed at least one course at another institution of higher education that is transferable to the institution the student is enrolling in.

<http://www.dsd.state.md.us/MDR/4910/Assembled.htm>

Under 13B.06.02

For comparison this is the current definition:

"Transfer student" means a student entering an institution for the first time having successfully completed a minimum of 12 semester hours at another institution of higher education after earning a high school diploma or equivalent that are applicable for credit at the institution the student is entering.

Amy Moffatt

Pronouns: she/her/hers



Assistant Vice President | University Admissions



P: 410-704-3974
amoffatt@towson.edu | www.towson.edu/admissions



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Emily Dow -MHEC- <emily.dow@maryland.gov>

New Transfer Student definition

1 message

Paul Moniodis <pmoniodis@ubalt.edu>
To: "emily.dow@maryland.gov" <emily.dow@maryland.gov>

Wed, Jun 8, 2022 at 9:32 AM

Dr. Dow,

In regard to the proposed change in Transfer Definitions, I submitted the comment below to Karina Reid and Chad Muntz. I thought that I should forward this to you as well.

Thank you,

Paul

From: Paul Moniodis <>
Sent: Thursday, May 26, 2022 1:09 PM
To: Karina Lauren Reid <kreid@umd.edu>
Cc: Mark Jacque <mjacque@ubalt.edu>; Oliver Vatanperver <kvatanperver@ubalt.edu>; Xiaoyan Zheng <xzheng@ubalt.edu>; Chad Muntz (cmuntz@usmd.edu) <cmuntz@usmd.edu>
Subject: RE: New Transfer Student definition

Greetings Karina,

I was brought into this conversation today, and coincidentally and unbeknownst to me that this conversation was going on, I wrote an email on this same subject yesterday to Chad Muntz (USM IR director, email captioned below). The Maryland variance from the US Department of Education definition on new/transfer definition has caused me no end of problems and consternation. In the email I wrote, captioned below, I proposed a way out of this conundrum, but I did not take it as possible that the State definition could be revised. That is the best solution.

The federal definition has been in effect since 1992—now 30 years ago. Many other states brought this definition into conformity immediately.

I applaud your efforts and wish them a successful and speedy implementation.

Thank you.

Quoted email to Chad Muntz follows:

From: Paul Moniodis
Sent: Wednesday, May 25, 2022 11:29 AM
To: Chad Muntz (cmuntz@usmd.edu) <cmuntz@usmd.edu>
Cc: Xiaoyan Zheng <xzheng@ubalt.edu>
Subject: First-time student definition

Hi Chad,

I would like overview with you my definitional issues with the USM first-time student definition.

My concern is the conflation/contradiction of US Dept of Education definitions vs. USM per its III-4.00 -POLICY ON UNDERGRADUATE ADMISSIONS definition.

It appears to me that the USM policy (III Admission of Transfer Student) has it that transfer students with less than 12 hours are NOT TRANSFER STUDENTS! but are classified the same as high school admissions (i.e., with the first-time in college students). Ubalt has built its classifications largely around this USM policy (although, it was up to 23 hours); and this has incurred for me, now, 14 years of difficulty, trying to accommodate both definitions—leading, unquestionably, to internal confusion. Take, for example, these retention/graduation reports that we have recently discussed.

I am assuming that USM reports on the IRIS dashboard are in compliance with the US Department of Education definitions.

Nb. I do think that these might be reconciled as follows: USM policy is for admission requirements, not for the admission classification. That is, say, a student with 12 transfer hours must meet the first-time student admission criteria, but the student's classification remains per the federal definition, i.e., a new transfer freshmen.

Our data systems accommodate this only in an ad hoc manner, but I would like to get this further clarified and resolved.

Thank you,

Paul

From: Karina Lauren Reid <kreid@umd.edu>
Sent: Wednesday, May 25, 2022 2:12:04 PM
To: transfer-workgroup@usmd.edu <transfer-workgroup@usmd.edu>
Subject: New Transfer Student definition

[EXTERNAL EMAIL: This message originated from a non-UBalt email system. Hover over any links before clicking and use caution when opening attachments.]

Hi All,

My apologies for not sending this sooner but I wanted to send a reminder that we are in the comment period for the proposed change in Transfer Definitions. I have included the new definition and current definition below and the contact information for how to submit comments or concerns. Please keep in mind the deadline is June 6th for submission and after that any decided language will be the definition.

Transfer Student Definition

New Definition:

“Transfer student” means an undergraduate student entering an institution for the first time, after earning a high school diploma or equivalent, who has successfully completed at least one course at another institution of higher education that is transferable to the institution the student is enrolling in.

<http://www.dsd.state.md.us/MDR/4910/Assembled.htm>

Under 13B.06.02

For comparison this is the current definition:

“Transfer student” means a student entering an institution for the first time having successfully completed a minimum of 12 semester hours at another institution of higher education after earning a high school diploma or equivalent that are applicable for credit at the institution the student is entering.

Comment submission instructions:

Comments may be sent to Emily A. A. Dow, Ph.D., Assistant Secretary for Academic Affairs, Maryland Higher Education Commission, [6 N. Liberty Street, 10th Floor, Baltimore, MD 21201](#), or call 410-767-3041, or email to emily.dow@maryland.gov

Karina Reid

Pronouns: She/Her/Hers

Assistant Director of Transfer Admissions

Office of Undergraduate Admissions and Recruitment
Enrollment Management
University of Maryland College Park

(tel) 301-314-TERP (8377)

Lift every voice. Black lives matter.



June 2, 2022

Dr. Emily A.A. Dow
Assistant Secretary for Academic Affairs
Maryland Higher Education Commission
6 North Liberty Street, 10th Floor
Baltimore, MD 21201

Dear Dr. Dow:

I am writing to share University of Maryland Global Campus’s (UMGC) concerns about the impact of several proposed changes to COMAR related to transfer between public higher education institutions in Maryland. These regulations were approved for publication by the Maryland Higher Education Commission (MHEC) at its March 23, 2022, meeting and subsequently published in the *Maryland Register* for public comment. While we applaud MHEC’s interest and advocacy in this critical area, we are concerned that these regulations as currently proposed would introduce substantial costs, inefficiencies, and disruptions to our current transfer and articulation processes. As the institution accepting the largest number of Maryland community college transfer students, these new requirements will disproportionately impact UMGC and the students we serve.

UMGC supports the *Transfer with Success Act of 2021* and the General Assembly’s intent to streamline the transfer process for Maryland community college students and remove any barriers to seamless articulation and degree progression. However, we believe these regulations, as currently proposed by MHEC, would undermine this legislation by introducing extraneous and arbitrary requirements that are compliance-driven versus improvement-driven.

Our comments on specific aspects of the regulations are summarized in the table below:

<p>13B.02.03.19 Public Institutions – Transfer and Articulation</p> <p><i>A. Prior to Submission</i></p> <p><i>(1) Before submitting a proposal for a new bachelor’s degree program that could affect students transferring from a community college, a public senior higher education institution shall notify all community colleges of the proposed program and proposed implementation date.</i></p> <p><i>(2) Before submitting a proposal for a substantial modification to an existing bachelor’s degree program that could affect students transferring from a community college, a public senior higher education institution shall notify all community colleges of the proposed changes and proposed implementation date.</i></p> <p><i>(3) Before submitting a proposal for a substantial modification to an existing associate’s degree program that could affect students transferring to or from a public senior higher education institution, a community college shall notify all public senior higher education institutions of the proposed changes and proposed implementation date.</i></p>

C. After Approval

(3) The institution shall provide the curriculum and any articulation agreement(s) to all other public institutions within 90 days of the approval

These specific communications requirements could prove unwieldy and inefficient for all institutions unless this information will be centrally collected and posted in an online repository such as ARTSYS or a similar centralized process coordinated via MHEC. Both the frequency and volume of information exchanged will place significant burdens on both sending and receiving institutions across the state. All institutions will have to build in additional time when proposing new programs or modifying existing programs. It is unclear that this requirement will add value to the transfer and articulation process, while it will increase the workload associated with the program review and approval process.

13B.06.02.10 Evaluation of Individual Course Equivalencies

B. Equivalencies shall be determined by faculty who are subject matter experts and may not be determined by non-academic staff.

Given the significant volume of course equivalencies UMGC reviews and processes from all over the country, we employ a team of professional staff who routinely carry out these reviews in consultation with faculty. This new requirement—that faculty alone must conduct these reviews and make these determinations—poses substantial risks to the timeliness of our current processes. How is MHEC defining “subject experts” or “non-academic staff”?

13B.06.02.13 Program Transfer Agreements

H. Each institution that is a party to a Program Transfer Agreement shall include the full agreement in their course catalog, on their website, and in other publicly accessible sources.

Publication of full transfer agreements in institutional catalogs is unreasonable and has the potential to significantly confuse or misguide prospective and current students. In UMGC’s case, this could add hundreds of pages to our catalog publication each fall and spring, decreasing its usability and increasing its cost. The website and “other publicly accessible sources” are more reasonable venues for publication.

13B.06.02.14 Evaluation and Review Process for Transfer of Courses and Credits

C. Timing of Evaluation by Receiving Institution.

(1) Except as set forth in §C(2) of this regulation, in response to a complete request submitted under §B of this regulation, a receiving institution shall conduct and complete an evaluation of the student’s official transcripts and other relevant materials no later than 20 business days after receipt of the official transcripts.

(2) If the official transcripts are received more than 30 business days before the start of the student’s first semester at the receiving institution, the evaluation shall be conducted and completed no later than 10 business days prior to the start of the student’s first semester.

New timing requirements for the review of transcripts could be an issue if transcripts are not received within the first semester. This also impacts “stranded” credits, as often students do not submit a transcript when they have an outstanding balance at a previous institution. According to a 2020 Ithaca S+R report, as many as 6.6 million students across the U.S. could have stranded credits, disproportionately affecting adult, low-income, and minority students. At UMGC, our practice has been to review transcripts only after we receive all transcripts. We would need to build new infrastructure

to post transfer credit as transcripts come in. Our Office of Financial Aid has further concern about how this would impact Standards of Academic Progress, as we would need to revise how we process this in order to record all transfer credit.

13B.06.02.14 Evaluation and Review Process for Transfer of Courses and Credits

E. Transfer Evaluation Report

F. Receiving Institution Transcript

G. Review of Denials by Sending Institution

Given the volume of transfer credit UMGC handles, having a review meeting with sending schools for instances of denial of transfer credit will be significant. UMGC received 11,363 student transcripts from Maryland institutions alone (11 USM institutions and 16 Maryland community colleges) during the period of 4/1/21 - 3/31/22. If these new processing, reporting, and meeting requirements added one hour per student transcript, UMGC would need five additional FTE staff to meet the requirements of these regulations. It is also unclear what happens when a student changes programs. Does this require a new review and submission to the sending institution?

Other Key Issues

- These draft regulations do not address existing transfer issues with upper- and lower-division requirements when students transfer in a lower-division course that is equivalent to an upper-division course. If anything, it will make existing problems worse. When a student transfers in 100/200 level courses as upper-division major courses, the student often does not have a sufficient number of upper-division courses to graduate. This originates from COMAR regulations for upper-division credits, which is not included in these regulatory changes.
- These draft regulations do not address all scenarios for how credit may not be used in transfer, such as when a requirement is already met by another transfer course. It is not clear from the regulations how to record the status of a course when a student meets the same course requirement from more than one source. UMGC would ordinarily record transfer credit from one and deny transfer credit from another, which could lead to concerns from the denied sending institution. This scenario should be addressed in these regulations.
- Today, UMGC does not review all transfer credits and apply them to the student record in all cases. We do so based on the student program, and once all elective credits are covered, our review is complete. The new regulations will cause us to do additional work to review all transfer credit—even superfluous credits—to report on which credits are accepted and applied and which are not.
- UMGC is highly supportive of the proposed section of the regulations under *13B.06.02.11 Transfer of Previously Awarded Credit for Prior Learning*, as we award more type of this credit than most other institutions. These changes will result in more consistent practices and standards around credit for prior learning and expand beyond standardized exams to include other types of prior learning credit. Going forward, all institutions would be required to accept what was used at the source institution as the basis for awarding course credit. This means that such credit earned by students at UMGC could be transferred to other Maryland institutions with greater ease.

Recommendations

Since UMGC was not formally consulted in the regulatory process, we are requesting MHEC's consideration and the opportunity to provide input and recommendations before these regulations are finalized and guidelines are issued. For example, instead of individual transfer case reviews and meetings between UMGC and each sending institution, we propose an aggregated report by sending institution that would be submitted three times a year to correspond with activity in the previous semester. Courses would be detailed as whether they were accepted as general education, program requirement, elective, or not accepted. The designation would be based on whether the credits could be met for this category. It is possible a student with excess general education credits, as an example, could see these applied to electives or not at all, depending on how many credits they had and their choice of degree program. The aggregate report would allow sending institutions a way to identify patterns in courses that are not transferring and allow for more productive follow-up conversations. These conversations should be held as needed and not as the automatic default in each and every case.

Thank you, again, for considering this feedback. As an institution UMGC is deeply committed to establishing and expanding transfer pathways and supporting credit portability. Our transfer-friendly policies, practices, and scholarships specifically for Maryland community college completers make us the largest recipient of transfer students in the State of Maryland, a position we treat with great respect and care. We appreciate the opportunity to provide this feedback and would be pleased to engage with MHEC to help realize the intent of these regulations in support of learner success throughout the State.

Sincerely,



Blakely R. Pomietto, MPH
Senior Vice President and Chief Academic Officer

CC: Dr. Antoinette Coleman, Associate Vice Chancellor for Academic Affairs, University System of Maryland

Subtitle 02 ACADEMIC REGULATIONS

13B.02.03 Academic Programs — Degree-Granting Institutions

Authority: Education Article, Titles 11 and 16, Annotated Code of Maryland

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

[(1-1)] (2) “Articulation agreement” [means a signed written agreement between institutions of higher education regarding the transfer of academic credits from one institution to the other] *has the meaning stated in COMAR 13B.06.02.02.*

[(2)] “Articulation system (ARTSYS)” means a computerized data information system created to facilitate the transfer of students from Maryland community colleges to the University System of Maryland and other participating institutions.]

(3)—(21) (text unchanged)

(22) “Program” means a *structured and coherent* course of study with *clearly defined learning objectives and intended student learning outcomes*, requiring the completion of a specified number of [semester] credit hours from among a prescribed group of courses, [that leads] *leading to [a formal] the award of a certificate or degree.*

(23)—(24) (text unchanged)

[(25)] “Recommended transfer program (RTP)” means a program including both general education and courses in a major, taken at a community college, that is:

(a) Applicable to a bachelor’s degree at a 4-year institution; and

(b) Ordinarily the first two years of the bachelor’s degree.]

[(25-1)] (25) (text unchanged)

(26)—(30) (text unchanged)

.06 Criteria for Program Review.

A program proposal shall address the following areas:

A.—F. (text unchanged)

G. Adequacy of curriculum design, program modality, and delivery to related learning outcomes, consistent with Regulation .10 of this chapter;

H. [Adequacy] *For public institutions, adequacy of articulation and transfer planning, consistent with Regulation .19 of this chapter;*

I. Adequacy of faculty resources, consistent with Regulation .11 of this chapter;

J. Adequacy of library resources, consistent with Regulation .12 of this chapter;

K. Adequacy of physical facilities, infrastructure, and instructional equipment, consistent with Regulation .13 of this chapter;

L. Adequacy of financial resources with documentation, consistent with Regulation .14 of this chapter;

M. Adequacy of provisions for evaluation of program, consistent with Regulation .15 of this chapter;

N.—P. (text unchanged)

.19 Public Institutions — Transfer and Articulation.

A. Prior to Submission.

(1) *Before submitting a proposal for a new bachelor’s degree program that could affect students transferring from a community college, a public senior higher education institution shall notify all community colleges of the proposed program and proposed implementation date.*

(2) *Before submitting a proposal for a substantial modification to an existing bachelor’s degree program that could affect students transferring from a community college, a public senior higher education institution shall notify all community colleges of the proposed changes and proposed implementation date.*

(3) *Before submitting a proposal for a substantial modification to an existing associate’s degree program that could affect students transferring to or from a public senior higher education institution, a community college shall notify all public senior higher education institutions of the proposed changes and proposed implementation date.*

B. Contents of Proposal.

(1) *A proposal for a new bachelor’s degree program at a public senior higher education institution shall include:*

(a) *A proposed articulation agreement with at least one community college; or*

(b) *Justification for why an articulation agreement is not feasible or applicable.*

(2) *A proposal for a substantial modification to an existing bachelor’s degree program at a public senior higher education institution shall include:*

(a) *For a program that has an existing articulation agreement with at least one community college:*

(i) *Proposed modifications to all existing articulation agreements; or*

(ii) *Justification for why revising existing articulation agreements is not feasible or applicable; or*

(b) *For a program without any existing articulation agreement:*

(i) *A proposed articulation agreement with at least one community college; or*

(ii) *Justification for why an articulation agreement is not feasible or applicable.*

(3) A proposal for a substantial modification to an existing associate's degree program at a community college shall include:

(a) For a program that has an existing articulation agreement with at least one public senior higher education institution:

- (i) Proposed modifications to all existing articulation agreements; or
- (ii) Justification for why revising existing articulation agreements is not feasible or applicable; or

(b) For a program without existing articulation agreements:

- (i) A proposed articulation agreement with at least one public senior higher education institution; or
- (ii) Justification for why an articulation agreement is not feasible or applicable.

(4) Subject to §C(1) and (2) of this regulation, all proposed new and modified articulation agreements submitted under §B(1)—(3) of this regulation shall be provisionally signed by the appropriate individual-, as identified in COMAR 13B.06.02.13, prior to submission.

C. After Approval.

(1) Any new or revised articulation agreement submitted under this regulation shall only be effective when:

- (a) The new program or substantial modification is approved by the Commission; and
- (b) The new program or substantial modification is implemented.

(2) A provisionally signed new or revised articulation agreement submitted under this regulation may not be made publicly available by any institution unless the new program or substantial modification has been approved by the Commission.

(3) The institution shall provide the curriculum and any articulation agreement(s) to all other public institutions within 90 days of the approval.

Subtitle 06 GENERAL EDUCATION AND TRANSFER

13B.06.01 General Education Requirements for Public Institutions of Higher Education

Authority: Education Article, [§§11-105(u) and 11-207] §11-105 and Title 11, Subtitle 2, Annotated Code of Maryland

.01 Scope [and Applicability].

(text unchanged)

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

[(2) "A.A.S. degree" means the Associate of Applied Sciences degree.

(3) "A.A.T. degree" means the Associate of Arts in Teaching degree.

(4) "A.F.A. degree" means the Associate of Fine Arts degree.]

[(5)] (2)—[(6)] (3) (text unchanged)

[(7) "A.S.E. degree" means the Associate of Science in Engineering degree.

(8) "Associate's degree" includes an:

- (a) A.A. degree;
- (b) A.S. degree;
- (c) A.A.S. degree;
- (d) A.A.T. degree;
- (e) A.F.A. degree; and
- (f) A.S.E. degree.]

[(9)] (4) (text unchanged)

[(10) "Cumulative grade point average" means the average of grades received for completed coursework at all institutions attended.]

[(11)] (5) (text unchanged)

[(12) "First-time student" means a student who:

(a) Has earned a high school diploma or equivalent; and

(b) Has not earned any college credit from an institution of higher education subsequent to earning the high school diploma or equivalent.

(13) First-time student with advanced standing" means a first-time student who earned college credit from an institution of higher education prior to earning a high school diploma or equivalent.]

[(14)] (6)—[(17)] (9) (text unchanged)

[(18) "Native student" means a student whose initial college enrollment was at a given institution of higher education and who has not transferred to another institution of higher education since that initial enrollment.

(19) "Parallel program" means the program of study or courses at one institution of higher education that has parallel courses and comparable objectives as those at another higher education institution, for example, a transfer program in psychology

in a community college is definable as a parallel program to a baccalaureate psychology program at a 4-year institution of higher education.

(20) "Receiving institution" means the institution of higher education to which a student desires to transfer credit.

(21) "Recommended transfer program" means a planned program of courses, both general education and courses in the major, taken at a community college, which is applicable to a baccalaureate program at a receiving institution, and ordinarily the first half of the baccalaureate degree.

(22) "Reverse transfer" means a process whereby credits that a student earns at any public senior higher education institution in the State toward a bachelor's degree are transferrable to any community college in the State for credit toward an associate's degree.

(23) "Sending institution" means the institution of higher education of most recent previous enrollment by a student at which applicable academic credit was earned.]

[(24)] (10) (text unchanged)

[(25)] "Transfer student" means a student entering an institution for the first time having successfully completed a minimum of 12 semester hours at another institution of higher education after earning a high school diploma or equivalent that are applicable for credit at the institution the student is entering.]

.03 General Education Requirements for Public Institutions.

A. While public institutions have the autonomy to design their general education program to meet their unique needs and mission, that program shall:

(1) *Incorporate coursework in each of the following core areas, at a minimum:*

(a) *Arts and humanities;*

(b) *Social and behavioral sciences;*

(c) *Biological and physical sciences;*

(d) *Mathematics; and*

(e) *English composition;*

(2) [conform] *Conform* to the definitions and common standards in this chapter[.]; and

(3) [incorporate] *Incorporate* the general education knowledge and skills required by the Middle States Commission on Higher Education Standards for Accreditation.

B. [No later than August 1, 2017, a] *A* public institution shall [satisfy the general education requirement by] *require each:*

(1) [Requiring each program] *Program* leading to an A.A. or A.S. degree to include [not less than] *at least 28, [and] but not more than 36, [semester] credit hours[,] of general education courses;*

(2) *Associate's degree program that does not lead to an A.A. or A.S. degree to include at least 18, but not more than 36, credit hours of general education courses; and*

(3) [each baccalaureate] *Bachelor's* degree program to include [not less than] *at least 38, [and] but not more than [46 semester] 48, credit hours of [required core] general education courses[, with the core requiring, at a minimum, course work in each of the following five areas:*

(a) *Arts and humanities,*

(b) *Social and behavioral sciences,*

(c) *Biological and physical sciences,*

(d) *Mathematics, and*

(e) *English composition; or*

(2) *Conforming with COMAR 13B.02.02.16D(2)(b)—(c).*

[B.] *C.* Each [core] course used to satisfy the [distribution] *credit* requirements of [§A(1)] §B of this regulation shall carry at least 3 [semester] *credit* hours.

[C.] *D.* General education programs [of] *within the A.A. or A.S. degree or the bachelor's degree at public institutions shall require at least:*

(1)—(5) (text unchanged)

[D.] *E.* Institution-Specific Requirements.

(1) In addition to the five required areas in §A(1) of this regulation, a public institution may include up to 8 [semester] *credit* hours in [course work] *coursework* outside the five areas. These courses may be integrated into other general education courses or may be presented as separate courses. Examples include, but are not limited to, Health, Diversity, and Computer Literacy.

(2) (text unchanged)

[E.] General education programs leading to the A.A.S. degree shall include at least 18 semester hours from the same course list designated by the sending institution for the A.A. and A.S. degrees. The A.A.S. degree shall include at least one 3-semester-hour course from each of the five areas listed in §A(1) of this regulation.]

F.—K. (text unchanged)

[L.] Notwithstanding §A(1) of this regulation, a public 4-year institution may require 48 semester hours of required core courses if courses upon which the institution's curriculum is based carry 4 semester hours.

M. Public institutions shall develop systems to ensure that courses approved for inclusion on the list of general education courses are designed and assessed to comply with the requirements of this chapter.]

L. Each public institution shall designate on the student transcript those courses that have met a general education requirement, including the specific core area or requirement it has fulfilled under this regulation.

13B.06.02 Transfer Students and Transfer of Courses and Credits

Authority: Education Article, §§11-105 and 11-207, Annotated Code of Maryland

.01 Purpose and Scope.

A. This chapter sets forth requirements for institutions of higher education in the State for:

- (1) Admission of transfer students to public institutions;
- (2) The transfer of courses and awarding of credit for transferred courses; and
- (3) Collaboration and communication between institutions on issues relating to transfer.

B. This chapter is intended to:

- (1) Maximize the transferability of courses to:
 - (a) Support timely completion of academic programs by transfer students;
 - (b) Minimize the need for transfer students to repeat coursework completed at a previous institution; and
 - (c) Limit the financial burden on transfer students;
- (2) Foster collaboration and communication between institutions regarding proposed academic program changes that could impact the efficacy of transferring courses and credits;
- (3) Establish a process and timeline for institutional review of a denial of a course or credit transfer; and
- (4) Make public and easily accessible all policies and procedures regarding transfer students and the transfer of courses and credits.

C. This chapter is not intended to affect a student's eligibility for and use of federal financial aid, and nothing in this chapter shall be construed in a manner that would prevent a student from being eligible for or using federal financial aid.

D. Except for Regulations .02 and .13A–H of this chapter, this chapter applies only to public institutions of higher education.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) **Academic Credit.**
 - (a) "Academic credit" or "credit" means the certification by the Registrar of a student's successful completion of a course leading to a formal award granted by an institution of higher education.
 - (b) "Academic credit" or "credit" does not include credit awarded for remedial education.
- (2) "Articulation agreement" means a written agreement for the awarding of credit by an institution of higher education for the completion of coursework or prior learning at another institution or entity.
- (3) "Commission" means the Maryland Higher Education Commission.
- (4) "Course" means a collection of lessons that is intended to meet specific learning objectives and is measured in academic credits.
- (5) "Course Transfer Agreement" means an articulation agreement regarding the award of credit by a receiving institution for courses completed at the sending institution that are not specific to the completion of an academic program at the receiving institution.
- (6) "Credit for prior learning" means credit granted to a student from an institution of higher education for experiential learning or a nationally recognized standardized examination that has been assessed by the institution to be the equivalent of learning gained through formal collegiate instruction.
- (7) "Cumulative grade point average" means the average of grades received for completed coursework at an institution.
- (8) "First-time student" means a student who:
 - (a) Has earned a high school diploma or equivalent; and
 - (b) Has not earned any college credit from an institution of higher education subsequent to earning the high school diploma or equivalent.
- (9) "First-time student with advanced standing" means a first-time undergraduate student who earned college credit from an institution of higher education prior to earning a high school diploma or equivalent.
- (10) **General Admission.**
 - (a) "General admission" means admission to enroll as an undergraduate student at an institution of higher education.
 - (b) "General admission" does not include admission to a specific degree or certificate program.
- (11) "General education requirement" means an institutional requirement under COMAR 13B.06.01.03.
- (12) "Institution of higher education" has the meaning stated in Education Article, §10-101, Annotated Code of Maryland.
- (13) "Institution of postsecondary education" has the meaning stated in Education Article, §10-101, Annotated Code of Maryland.
- (14) "Learning outcome" or "learning objective" means a description of the knowledge, skills, competencies, or expertise that a student is expected to obtain, exhibit, or meet upon the successful completion of a specific course or program.
- (15) "Non-transfer student" means an undergraduate student who attends the same institution of higher education at which they initially enrolled and has not enrolled in a course of study at another institution of higher education since that initial enrollment.

(16) "Prior Learning Transfer Agreement" means an articulation agreement for a receiving institution to award academic credit for demonstrated proficiency, a satisfactory score on a specific assessment, applied experience, or other learning experience completed at an institution of postsecondary education or other entity.

(17) "Program" or "academic program" means a structured and coherent course of study with clearly defined learning objectives and intended student learning outcomes, leading to the award of a certificate or degree, that requires the completion of a specified number of course credits from among a prescribed group of general education, elective, and discipline-specific courses.

(18) "Program Transfer Agreement" means an articulation agreement between a receiving institution and a sending institution that sets forth the course and other degree requirements within a single bachelor's degree program offered by the receiving institution that may be completed at the sending institution.

(19) "Receiving institution" means the institution of higher education to which a student desires to transfer courses and credits.

(20) "Secretary" means the Secretary of Higher Education.

(21) "Sending institution" means an institution of higher education at which a student was previously enrolled and earned academic credit.

(22) "Transfer student" means an undergraduate student entering an institution for the first time, ~~after earning a high school diploma or equivalent~~, who has successfully completed, after earning a high school diploma or equivalent, at least one course at another institution of higher education that is transferable to the institution the student is enrolling in.

.03 Institutional Policies and Responsibilities.

A. An institution shall establish written policies and procedures for transfer between public institutions that are consistent with this chapter.

B. The policies and procedures established under §A of this regulation shall address, at a minimum:

- (1) Information sharing and communication between institutions;
- (2) Availability of information to students and the public;
- (3) Admission of transfer students to the institution;
- (4) Admission of transfer students into specific academic programs;
- (5) Number of credits that may transfer and the application of credits to program requirements;
- (6) Transfer of general education courses and credits;
- (7) Processes and standards for the evaluation of individual course equivalencies and credit for prior learning;
- (8) Processes for the establishment of course transferability, including, but not limited to, Program Transfer Agreements and other articulation agreements;
- (9) Process for individual students to request credit and course transfer; and
- (10) The roles of the institutional transfer coordinator and other faculty and staff.

C. All policies and procedures established under this chapter shall ensure:

- (1) Equitable treatment of non-transfer students, first-time students with advanced standing, and transfer students;
- (2) That the evaluation of courses and credits for transfer maximizes the amount of credit awarded to a student;
- (3) That students are not required to repeat equivalent coursework successfully completed at a sending institution; and
- (4) That all information regarding transfer is available to other institutions, students, and the public.

D. Applicability of Policies to Students from Private and Out-of-State Institutions. Institutions are encouraged to use the standards set forth in Regulations .07—.11 of this chapter and the process set forth in Regulation .14D of this chapter to evaluate the transfer of courses and credits that were completed at a private or out-of-State institution of higher education.

E. Transfer Coordinators.

(1) An institution of higher education shall designate at least one transfer coordinator, who:

(a) Serves as a resource person to students seeking to transfer courses and credits;

(b) Is responsible for coordinating the application of the policies and procedures established under §A of this regulation; and

(c) Is responsible for overseeing the process in Regulation .14 of this chapter for the evaluation of student transfer requests.

(2) A transfer coordinator is not responsible for evaluating individual course equivalencies or credit for prior learning under Regulations .10 and .11 of this chapter.

.04 Coordination Between Institutions and Segments.

A. Information for Students and the Public. Institutions shall collaborate to develop and provide to students and the public current, accurate, and consistent information on transfer that is consistent with this chapter.

B. Changes to Curriculum.

(1) When considering any curricular change, including non-substantial modifications to existing programs and changes to individual courses, an institution shall, at the earliest possible time, discuss any changes that might affect transfer students with all applicable public institutions.

(2) For curricular changes that are substantial modifications under COMAR 13B.02.03 and for new programs, an institution shall:

(a) Follow the procedures set forth in COMAR 13B.02.03.19; and

(b) Within 60 days of approval by the Commission, update all relevant student information.

(3) After making non-substantial modifications to existing programs, changes to individual courses, or other curricular changes that do not require Commission approval, institutions shall, within 60 days of the change:

- (a) Update all articulation agreements affected by the change;
- (b) Provide notification of the curricular change to any other applicable institutions of higher education; and
- (c) Update all relevant student information.

C. Establishment of Transferability. Institutions shall collaborate to establish transferability of courses and credits by entering into Program Transfer Agreements, Course Transfer Agreements, or Prior Learning Transfer Agreements whenever possible.

D. Uniform Policies. Institutions and segments shall coordinate to create uniform policies and procedures when practicable.

E. Student Transfer Advisory Committee. The Secretary shall convene a permanent Student Transfer Advisory Committee that meets regularly to review and provide recommendations on issues relating to student transfer and any matters referred by the Secretary.

.05 Information for Students.

A. All Institutions.

(1) An institution shall ensure that all articulation agreements and all information pertaining to transfer students and the transfer of courses and credits are:

- (a) Written in language that is clear and explicit;
- (b) Comprehensive, accurate, and regularly updated; and
- (c) Available to prospective transfer students in ~~course catalogs and other~~ publicly accessible sources.

(2) Student information shall include, at a minimum:

- (a) Admissions requirements for transfer students at public senior higher education institutions;
- (b) Curriculum prerequisites at receiving institutions;
- (c) Information about Program Transfer Agreements;
- (d) Information about other articulation agreements and sources of established course and credit transferability;
- (e) Transferability of general education courses;
- (f) Transferability of individual courses;
- (g) Credit transfer limits; and
- (h) The credit transfer process, including:
 - (i) How to make a transfer evaluation request; and
 - (ii) The standards that are used to determine course and credit equivalency.

(3) Institutions shall:

(a) Promptly inform students of changes to admissions requirements, academic program requirements, and any of the other information in this regulation; and

(b) Notify students that:

- (i) Students are accountable for the loss of credits resulting from changes to the student's academic program; and
- (ii) Credits earned for remedial coursework are not transferable.

(4) Institutions shall encourage all prospective transfer students to complete an associate's degree.

B. Community Colleges. Community colleges shall encourage their students to select, as early as possible, the institution and academic program into which they desire to transfer.

.06 Admission of Transfer Students.

A. General Admission to Public Institutions.

(1) General admission of a transfer student to an institution under §A(2) and (3) of this regulation does not guarantee admission into a specific degree or certificate program at that institution.

(2) Except as provided in §A(4) of this regulation, a student transferring from a public institution may not be denied general admission to another public institution if the student:

- (a) Has completed an associate's degree or at least 60 credit hours; and
- (b) Attained a cumulative grade point average of at least 2.0 on a 4.0 scale or its equivalent at the sending institution.

(3) A student transferring from a public institution who has not completed an associate's degree or at least 60 credit hours is eligible for general admission to another public institution if the student:

- (a) Satisfies the same admission criteria as a non-transfer student at the receiving public institution; and
- (b) Attained a cumulative grade point average of at least 2.0 on a 4.0 scale or its equivalent at the sending institution.

(4) If the number of students seeking admission exceeds the number that can be accommodated at a receiving public institution, admission decisions for transfer students shall:

(a) Be based on criteria developed by the receiving institution that are publicly available and easily accessible on the institution's website; and

(b) Maintain fair and equitable treatment for non-transfer students, transfer students, and first-time students with advanced standing.

B. Admission to Specific Academic Programs.

(1) A receiving public institution may require additional admission requirements to a specific degree or certificate program.

(2) The standards for admission to the program shall:

(a) Be based on criteria developed by the receiving public institution that are publicly available and easily accessible on the institution's website; and

(b) Maintain fair and equitable treatment for non-transfer students, transfer students, and first-time students with advanced standing.

.07 Transfer of Courses and Credits Generally.

A. A receiving institution shall accept for transfer and award credit for a course or credit completed at a sending institution if:

(1) The course is transferable under §B of this regulation; and

(2) The acceptance of and awarding of credit for the completed course or credit is consistent with the requirements of this chapter.

B. Transferability.

(1) General education courses required under COMAR 13B.06.01 are transferable as set forth in Regulation .09 of this chapter.

(2) An individual course that is not being applied toward a general education requirement is transferable if:

(a) The course is deemed equivalent to a course at the receiving institution under the standards set forth in Regulation .10 of this chapter; or

(b) The course is part of a Program Transfer Agreement.

(3) Credit for prior learning is transferable if deemed equivalent using the standards set forth in Regulation .11 of this chapter.

(4) Establishment of Transferability by Institutions.

(a) Whenever practicable, the transferability of courses or credits shall be established via Program Transfer Agreement or other mechanism consistent with Regulation .12 of this chapter.

(b) Documents establishing course equivalencies and course and credit transferability shall be publicly available and easily accessible for students and the public.

C. Awarding of Credit Toward Academic Program Requirements.

(1) A receiving institution's award of credit for a transferred course or credit may be applied toward any academic program requirement at the receiving institution, regardless of the program requirement that the course fulfilled at the sending institution,

(2) The award of credit for a transferred course or credit may be applied toward multiple program requirements at the receiving institution consistent with the institution's policies for non-transfer students.

.08 Number of Credits Accepted for Transfer.

A. Required Award of Credit by Public Senior Higher Education Institution for Courses Completed at Community College.

(1) Except as provided in §A(2) of this regulation and subject to §C of this regulation, a public senior higher education institution in the State shall accept for transfer at least 60, but not more than 70, credits that were earned toward an associate's degree at any community college in the State.

(2) A Program Transfer Agreement between a community college and a public senior higher education institution may allow for the transfer of more than 70 credits earned at the community college.

B. Required Award of Credit by Community College for Courses Completed at Public Senior Higher Education Institution.

(1) Subject to §C of this regulation, a community college shall accept for transfer at least 30, but not more than 45, credits that were earned at any public senior higher education institution in the State.

(2) A student may transfer credit under §B(1) of this regulation without enrolling in the community college if:

(a) The student earned at least 15 credits at the community college prior to attending the public senior higher education institution from which they desire to transfer credit; and

(b) The transfer of the credits will satisfy all remaining requirements to receive an associate's degree from the community college.

C. Awarding and Application of Credit by Receiving Institution. An institution accepting the transfer of completed courses and credits under §A or B of this regulation shall award credit for those courses and apply the awarded credit toward academic program requirements as follows:

(1) For any course determined to be equivalent to a course at the receiving institution under this chapter, credit shall be awarded for the equivalent course.

(2) Credit awarded for an equivalent course shall be applied toward any general education, elective, major, or other program requirement that the course would fulfill for a non-transfer student.

(3) For any completed course that has no equivalent at the receiving institution, if the student earned a passing grade in the course at the sending institution, general credit or discipline-specific credit shall be awarded, as appropriate.

(4) Credit awarded for a course with no equivalent at the receiving institution may be applied toward any general education or elective requirement, if the institution has a written, publicly available policy regarding such an application that ensures the equitable treatment of all transfer students.

.09 Transfer of General Education Courses.

A. A receiving institution shall accept for transfer any completed course that fulfilled a general education requirement at the sending institution.

B. Credit for a general education course completed at a sending institution shall be applied toward any general education requirement in the same core area at the receiving institution to which it was applied at the sending institution, regardless of whether an equivalent course exists at the receiving institution.

C. Credit for any completed course that fulfills any general education requirement at the sending institution, that cannot be applied pursuant to §B of this regulation, shall be applied toward any elective within the general education requirements at the receiving institution, regardless of whether an equivalent course exists at the receiving institution.

.10 Evaluation of Individual Course Equivalencies.

A. Equivalency Standard.

(1) A receiving institution shall accept a course or combination of courses completed at a sending institution for transfer when the receiving institution determines that at least 70 percent of the course learning objectives of the course or combination of courses completed at the sending institution are equivalent to the course learning objectives of a course or combination of courses at a receiving institution.

(2) An institution may not use any other standard or method of determining the equivalency of an individual course or combination of courses at a sending institution to a course or combination of courses at a receiving institution, other than the standard set forth in §A(1) of this regulation.

(3) An institution may not consider the course numbers or levels assigned to the sending or receiving institution's course or combination of courses when making a determination under §A(1) of this regulation.

B. Equivalencies shall be determined by faculty who are subject matter experts and may not be determined by non-academic staff.

C. An equivalent course shall only be transferred if the grade achieved at the sending institution for the completed course is the same or higher than the grade required for a non-transfer student in the equivalent course at the receiving institution.

D. The number of credits awarded to the student by the receiving institution for a course or combination of courses deemed equivalent under this regulation may not be less than the number of credits earned for that course or combination of courses at the sending institution.

E. An institution shall include in the policies and procedures established under Regulation .03 of this chapter the process the institution will use for the evaluation of course learning objective equivalencies.

.11 Transfer of Previously Awarded Credit for Prior Learning.

A. Transfer by a receiving institution of previously awarded credit for prior learning, whether credit by exam, for nationally recognized standardized examination scores, or experiential learning, shall be:

(1) Evaluated using the same standards that apply to the awarding of credit for prior learning to non-transfer students at the receiving institution;

(2) Indicated on the student's transcript at the receiving institution, including the basis for awarding the credit for prior learning; and

(3) Consistent with COMAR 13B.02.02.16H.

B. Equivalency for prior learning which has no explicit course equivalency, such as experiential learning, shall be established by the receiving institution using the same validation procedures for evaluating specific learning outcomes that are used for non-transfer students at the institution.

.12 Establishment of Transferability.

A. Institutions may establish transferability of courses and credits through:

(1) A Program Transfer Agreement, as set forth in Regulation .13 of this chapter;

(2) A Course Transfer Agreement or Prior Learning Transfer Agreement;

(3) A list of courses that have already been evaluated and deemed equivalent under Regulation .10 of this chapter; or

(4) Any other mechanism that enables a student to determine, prior to registering for a course at a sending institution, whether the course will transfer to a specific receiving institution.

B. Institutions shall, to the fullest extent possible, systematically establish the transferability of courses and credits to facilitate maximum transferability of courses and credits and support degree planning for students.

C. All articulations agreements, lists, and other information that establish transferability shall be:

(1) Published in a central location that is easily accessible for students and the public; and

(2) Reviewed to ensure accuracy on a regular basis, but no less than once a year.

D. Any information regarding the transferability of the course that is publicly available in an institutional source at the time of a student's transfer evaluation request shall be honored by the institution.

.13 Program Transfer Agreements.

A. Except for §§I and J of this regulation, this regulation applies to all institutions of higher education operating in the State.

B. Institutions are encouraged to leverage the use of Program Transfer Agreements to facilitate the transparent, seamless, and equitable transfer of a student from a sending institution into a specific academic program at a receiving institution.

C. A Program Transfer Agreement between two institutions of higher education in the State shall specify:

(1) The course(s) at the sending institution, including any minimum grade required in the course(s), that will be accepted for transfer to fulfill each degree requirement within the academic program at the receiving institution;

(2) Any other degree requirements, including, but not limited to, internships and other experiential learning, that may be completed at the sending institution; and

(3) If the receiving institution will accept for transfer any credit for prior learning awarded by the sending institution.

D. A Program Transfer Agreement may also include provisions regarding:

(1) Procedures for admissions, registration, and advising;

(2) Access to student services, including financial aid;

(3) Cost of tuition; and

(4) Any other information that may facilitate the transfer of academic credit from the sending institution to the receiving institution.

E. A Program Transfer Agreement may have more than one sending institution and more than one receiving institution.

F. A Program Transfer Agreement shall be signed by the president, executive director, chief academic officer, or equivalent designee of each institution that is a party to the agreement.

G. A final, signed copy of a Program Transfer Agreement shall be deposited with the Commission no more than 30 days after all institutions have signed the agreement.

H. Each institution that is a party to a Program Transfer Agreement shall include the full agreement ~~in their course catalog~~ on their website, and in other publicly accessible sources.

I. A transfer student at a public institution shall be provided the same opportunity as a non-transfer student at the same institution to pursue the program requirements that were in effect at the time that the transfer student enrolled at the sending institution, provided the student has been continuously enrolled and has fulfilled the requirements of the corresponding Program Transfer Agreement.

J. A public institution of higher education may not deny the transfer of any course that is set forth in a publicly available version of a Program Transfer Agreement.

.14 Evaluation and Review Process for Transfer of Courses and Credits.

A. Purpose. The purpose of the evaluation and review process is to maximize the courses and credits accepted for transfer by a receiving institution.

B. Transfer Evaluation Request by Student.

(1) A current or prospective transfer student who desires to transfer courses or credits from a prior institution of higher education to a receiving institution shall submit to the receiving institution a request to conduct an evaluation of official transcripts and other relevant materials.

(2) The request shall be in the form and manner required by the receiving institution and shall identify each completed course and each credit awarded for prior learning that the student desires to transfer to the receiving institution.

C. Timing of Evaluation by Receiving Institution.

(1) Except as set forth in §C(2) of this regulation, in response to a complete request submitted under §B of this regulation, a receiving institution shall conduct and complete an evaluation of the student's official transcripts and other relevant materials no later than 20 business days after receipt of the official transcripts.

(2) If the official transcripts are received more than 30 business days before the start of the student's first semester at the receiving institution, the evaluation shall be conducted and completed no later than 10 business days prior to the start of the student's first semester.

D. Evaluation of Course and Credit Transfer by Receiving Institution.

(1) In accordance with §D(2) and (3) of this regulation, a receiving institution shall evaluate each completed course or credit in a transfer evaluation request to determine:

(a) First, if the course or credit is transferable; and

(b) Second, the academic program requirement(s) to which a transferable course or credit will be applied.

(2) Transferability.

(a) The transferability of the course or credit shall be evaluated by determining:

(i) If the transferability of the course or credit has been established in a Program Transfer Agreement, other transfer agreement, course equivalency list, or other institutional publication;

(ii) If the course fulfilled a general education course at the sending institution;

(iii) If, under the standard in Regulation .10 of this chapter, as determined by an appropriate academic staff member, the course is equivalent to a course at the receiving institution; or

(iv) If, under the standard in Regulation .11 of this chapter, as determined by an appropriate academic staff member, the credit is equivalent to credit for prior learning at the receiving institution.

(b) A course that is not transferable under §D(2)(a) shall be denied.

(3) Application of Credit.

(a) In accordance with Regulation .08C of this chapter, and consistent with the standards set forth in this chapter and the institutional policies and procedures established under Regulation .03 of this chapter, each course or credit accepted for transfer shall be evaluated to determine if it fulfills:

(i) A general education requirement;

(ii) A requirement of the student's academic program;

(iii) An elective requirement;

(iv) Any other institutional or program requirement; or

- (v) Two or more of the requirements in §D(3)(a)(i)—(iv) of this regulation.
- (b) If the number of credits assigned to all transferable courses and credits exceeds the limits set forth in Regulation .08 of this chapter, the courses that are not accepted for transfer shall be:
 - (i) Determined after evaluating the application of credit under §D(3)(a) of this regulation; and
 - (ii) Selected to minimize the number of courses a student will need to take at the receiving institution to complete a degree.

E. Transfer Evaluation Report.

- (1) No later than the applicable deadline set forth in §C of this regulation, a receiving institution shall issue a Transfer Evaluation Report to inform a student in writing of the outcome of the evaluation.
- (2) The Transfer Evaluation Report shall include, for each course and credit requested for transfer:
 - (a) If the course or credit has been accepted for transfer or denied;
 - (b) For each course and credit accepted for transfer:
 - (i) The basis for transferability; and
 - (ii) The program requirement(s) it fulfills under §D(3) of this regulation;
 - (c) For each course or credit denied because it is not transferable, a clear and detailed explanation of the reason for the denial;
 - (d) For each course or credit denied because the total number of transferable credits exceeded the limits set forth in Regulation .08 of this chapter, a clear and detailed explanation of the basis for the determination of which transferable course(s) or credit(s) were denied;
 - (e) If any course or credit is denied, a statement explaining that all course and credit transfer denials will be reviewed by the sending institution, in conjunction with the receiving institution, without further action on the part of the student; and
 - (f) The name, title, email address, and phone number of the individual at the receiving institution whom the student can contact with questions.
- (3) A copy of the Transfer Evaluation Report shall be provided to all sending institutions simultaneously with the issuance of the report to the student.

F. Receiving Institution Transcript. As soon as possible after acceptance of a course or credit for transfer, the receiving institution shall ensure that the student's transcript reflects the credits awarded.

G. Review of Denials by Sending Institution.

- (1) If any course or credit is denied, the sending institution, in conjunction with the receiving institution, shall conduct an evaluation to review each denial of a course or credit.
- (2) The transfer coordinator or institutional designee of the sending institution shall conduct the evaluation in accordance with §D of this regulation.
- (3) The evaluation shall be completed, and a copy of the sending institution's analysis shall be provided to the receiving institution, no later than 20 business days after receipt of the Transfer Evaluation Report.
- (4) The sending institution's analysis shall indicate, for each course or credit denied by the receiving institution, whether the sending institution agrees or disagrees with the receiving institution's evaluation and rationale.
- (5) *Meeting Between Sending and Receiving Institutions.*
 - (a) The sending and receiving institutions shall meet to discuss the analyses no later than 20 business days after the sending institution's analysis is provided to the receiving institution.
 - (b) During the meeting, the institutions shall review and discuss each course or credit denial determination with which the sending institution disagrees.
 - (c) The meeting may be held via phone or video conference.
 - (d) *Waiver.*
 - (i) For good cause, a sending institution may request that the Secretary waive the meeting requirement for any individual review.
 - (ii) A request for a waiver shall be made, in writing, with a copy to the receiving institution, no later than 5 business days of providing the analysis to the receiving institution.
 - (iii) The Secretary shall approve or deny a request for a waiver of the meeting within 10 business days of receipt.
- (6) No later than 10 business days after the meeting, a sending institution shall provide to the receiving institution:
 - (a) A revised version of the sending institution's analysis; or
 - (b) Written notification that no revisions to the sending institution's analysis are necessary.

H. Final Determination by Receiving Institution.

- (1) No later than 10 business days after receipt of a revised analysis from the sending institution or a notification under §G(6) of this regulation, the receiving institution shall provide to the student:
 - (a) A Revised Transfer Evaluation Report; or
 - (b) Written notification that the review process has not resulted in any changes to the Transfer Evaluation Report.
- (2) The decision arising out of the review process regarding the transferability of courses and credits under §D(2) constitutes the final decision of the receiving institution and is not subject to appeal.

I. Records.

- (1) A receiving institution shall keep records of all denied courses and credits, including but not limited to, the Transfer Evaluation Report, the sending institution analysis, any revisions to the sending institution analysis, and any Revised Transfer

Evaluation Report, for at least 5 years after the student ceases enrollment at the institution or 2 years after the student completes a bachelor's degree, whichever is earlier.

(2) An institution shall annually report to the Commission, in a form prescribed by the Commission, each denial of a course or credit transfer, including the reason for each denial.

Subtitle 07 COMMUNITY COLLEGES

13B.07.02 General Regulations and Policies for Community Colleges

Authority: Education Article, Titles 11, 15, and 16, Annotated Code of Maryland

.01 Admission and Transfer of Students.

A. A college shall adhere to the:

(1) (text unchanged)

(2) Transfer requirements set forth in COMAR [13B.06.01] *13B.06.02*.

B.—C. (text unchanged)

JAMES D. FIELDER, JR., Ph.D.
Secretary of Higher Education



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Mary Pat Seurkamp, Ph. D.
Chair

James D. Fielder, Jr., Ph. D.
Secretary

Maryland Higher Education Commission 2022 Meeting Dates

The Maryland Higher Education Commission (MHEC) is Maryland’s higher education coordinating board responsible for the management of statewide financial aid programs and the establishment of statewide policies for public and private colleges and career schools to support students’ postsecondary pursuits.

Meeting Dates and Locations

January 26, 2022	July 27, 2022 (if needed)
February 23, 2022	August 24, 2022 (if needed)
March 23, 2022	September 28, 2022 10:00am to 4:00pm
April 27, 2022	October 26, 2022
May 25, 2022	November 16, 2022 *Please note date change.*
June 22, 2022	December 14, 2022 *Please note date change.*

All Commission meetings will be held on the 4th Wednesday of each month from 1:00pm to 4:00pm, with certain exceptions. Meetings in 2022 will be conducted via video teleconference (GoToMeeting), unless otherwise noted.

Dates and times are subject to change.

<http://www.mhec.maryland.gov/About/Pages/Meetings.aspx>