

Maryland Higher Education Commission
Meeting Minutes

January 26, 2022
1:00 p.m.

The Maryland Higher Education Commission (MHEC) met on Wednesday, January 26, 2022 via video teleconference (Google Meet).

Commission members present:

Mary Pat Seurkamp, Ph.D., Chair	Charles McDaniels, Jr.
Senchal D. Barrolle, Esq.	James B. Sellinger, Sr.
Vivian S. Boyd, Ph.D.	Ray Serrano, Ph.D.
Lewis R. Brown, Ed.D.	Craig A. Williams, Ph.D.
James E. Coleman	Haleemat Y. Adekoya, Student Commissioner

Staff members present:

James D. Fielder, Ph.D.	Emily A. A. Dow, Ph.D.
Geoffrey Newman	Jennifer Katz
Soma Kedia	Trish Gordon McCown
Lee Towers	Barbara Schmertz, Ph.D.
Daniel Schuster	Karen King-Sheridan
Yuxin Lin, Ph.D.	Victoria Johnson
Jacqueline Cade	Alex Bowley
Bryson Barksdale	

Call to Order

The meeting was called to order by **Chair Seurkamp** at approximately 1:01 p.m. A meeting quorum was established with all ten (10) members present.

Chair's Remarks

Chair Seurkamp welcomed and thanked everyone for attending today's meeting. She expressed hope that the holiday season was enjoyable for all, and asked for a moment of reflection or prayer for Dr. Vera Jackson, who passed away in late December, and her family.

Secretary's Remarks

Secretary Fielder reflected on MHEC's accomplishments during the past 7 to 8 years, in preparation for the upcoming budget hearings during the legislative session, which include \$1.1 billion in scholarships, tax credits & program awards, increased minority participation overall,

750 new academic programs, and increased graduation rates. Also noteworthy is the increased collaboration among higher education institutions and state agencies during the pandemic.

Public Comments

There were no public comments.

Commission Minutes Approval

Commissioner Adekoya motioned to approve the December 15, 2021 meeting minutes. **Commissioner Serrano** seconded the motion, and the motion was approved unanimously.

Commissioner Committee Updates

Education Policy Committee: Commissioner Boyd reported that the Committee will be meeting every other month, rather than once a month.

Outreach, Grants, and Financial Assistance Committee: Commissioner Coleman shared that he attended former Commissioner Jackson's memorial service and was touched by the story of her life, how she helped many, and was active in the community. He had gotten to know her when they served together on this committee. **Commissioner Coleman** also reported on several efforts by the Communications, Grants, and Outreach units to promote various financial aid programs. **Commissioner Adekoya** remarked that a special interest of hers is the creation of an application (for smartphones), featuring all of MHEC's financial aid programs. She learned that there was not any money available in the budget for this endeavor, though the Secretary is fully supportive. However, she would still like to continue the discussion on this project and explore options to move it forward, perhaps even involving the help of tech-savvy students.

Finance and Operations Committee: Mr. Geoffrey Newman, Assistant Secretary for Finance and Administration and staff contact for the committee, reported that budget hearings in the legislature will be taking place soon. The Governor was generous with funding to higher education institutions this year. He also increased funding for several state scholarship programs, and has funded new positions at MHEC that were created as a result of the settlement with the HBCUs. Current vacancies at MHEC are also being actively filled.

Diversity, Equity, and Inclusion Committee: Commissioner McDaniels reported that the committee met on January 10 to develop suggestions for the Secretary's consideration to include in guidelines to institutions for several reports put out by the Commission.

Department of Finance and Administration – Office of Finance Policy – FY 2024 Community College Construction Grant Program: State and Local Cost-Sharing Formula – Information Item

Chair Seurkamp recognized Mr. Newman who asked Mr. Daniel Schuster, Finance Policy Analyst, to report on this item. Mr. Schuster informed the Commissioners that the Community College Construction Grant Program provides State assistance for the construction and

improvement of facilities at community colleges. This grant funds the construction of major new facilities, renovation of existing facilities, and improvements to campus infrastructure. (Baltimore City Community College does not participate, as it is considered an agency of the State. Therefore, the State pays for 100% of its capital projects.)

Mr. Schuster further reported that the costs of the program are shared by the State and the locality. The share that the State pays differs every year based on a formula calculated by the Maryland State Department of Education that takes into account county wealth and student enrollment (in elementary and secondary schools). Based on the cost-sharing formula, the State contributes between 50% and 70% of the eligible costs of a project for single-county-operated community colleges and 75% of the eligible costs of a project for regional community colleges. Clarifying questions were asked about the program.

Department of Academic Affairs – Approval of Proposed Amendment to COMAR – Denial of Application for Religious Exemption – Action Item

Chair Seurkamp recognized Dr. Emily Dow, Assistant Secretary for Academic Affairs, who presented this item. Under § 11-202.1 of the Education Article, Annotated Code of Maryland, religious educational institutions may operate in Maryland without a Certificate of Approval from the Commission under certain circumstances. To do so, they must apply for an exemption from the Commission. Eligibility for religious exemptions is governed by COMAR 13B.02.04.

COMAR 13B.02.04.05 sets forth the rights of an institution whose application for a religious exemption is denied. Pursuant to Educ. § 11-202.1, the regulation includes the procedure for requesting a hearing regarding the denial. This provision does not currently include a time limit for an institution to request a hearing. The proposed regulatory amendment adds a 20-day deadline. This addition brings religious exemption hearing procedures into alignment with all other appeal procedures for MHEC actions, including denials of approval to operate both private career schools and degree-granting institutions.

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 by the Commission, the 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.

Dr. Dow recommended that the Commission: (1) approves for publication in the Maryland Register the proposed regulatory amendment to the procedures for denial of a religious exemption; and (2) authorizes its Assistant Attorneys General to make non-substantive edits to the proposed regulations to conform to the stylistic and formatting requirements of AELR and DSD.

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

Office of Research and Policy Analysis – 2021 Performance Accountability Report – Action Item

Chair Seurkamp recognized Dr. Barbara Schmertz, Director of the Office of Research and Policy Analysis, who asked Dr. Yuxin Lin, Associate Director of the Office of Research and Policy Analysis, to present this item. The annual Performance Accountability Report (PAR) serves as an important mechanism by which institutions are held accountable for establishing and maintaining performance standards, and using metrics to assess their effectiveness in tackling institutional and statewide higher education goals. This statewide report includes a summary of highlights from Maryland's public institutions' submission for the 2020-2021 academic year reporting cycle.

Institutions faced tremendous challenges beginning in March 2020 as a result of the COVID-19 pandemic. This year the submissions focused on the immediate challenges observed, strategies that colleges and universities employed to respond to the negative impact brought by the pandemic, and their effort to progress toward the three key goals of the 2017-2021 Maryland State Plan for Postsecondary Education, access, success, and innovation. This year, the institutions were also required to respond to one of three questions related to COVID-19 in their accountability reports.

Short-term impacts included decreased enrollment in both public 4-year institutions and community colleges, stable tuition rates and fees, and increased financial burdens on institutions. Some of the institutions' biggest challenges were the additional administrative burdens of navigating COVID-19 related policies, best practices & documentation, supporting students who were facing mental health challenges, and pivoting from a traditional instruction model to a solely online modality. As a result, many initiatives that came about during the pandemic were permanently adopted by institutions, such as: distance learning and teaching, remote proctoring for exams and testing, online summer orientation, and long-term telework policies for staff, faculty and administrators. In summary, institutions are on track to meet Maryland's degree attainment goal, but the progress might be slowed by the shock of COVID-19. Additionally, the long-term impact is still unknown, though the increase in the 2021 opening fall first-time, full-time enrollment at four-year institutions offers some hope.

Dr. Lin recommended that the Maryland Higher Education Commission approve the 2021 Performance Accountability Report and ask the Secretary to forward it to the Governor and the General Assembly as required by law. **Commissioner Coleman** asked why, during this time, there was a decrease in students with remedial needs. Dr. Dow answered that community colleges have improved in their assessments of students. Dr. Schmertz agreed that institutions are now better at identifying those students with remedial needs. **Commissioner Boyd** commented on the nature of the questions asked (related to COVID-19) of institutions. She remarked that it may have been more beneficial to focus on questions that determined the retention of information by students in an online environment. Other clarifying questions were asked about the content of the report. **Commissioner Coleman** made a motion for approval, and **Commissioner Barrolle** 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 2:05 p.m.