

SENATE BILL 416

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71r1537

By: **Senators Jones, Britt, Conway, Currie, Exum, Gladden, McFadden, Muse, and Pugh**

Introduced and read first time: February 2, 2007

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2007

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – Institutions of Higher Education – Plans for Programs of**
3 **Cultural Diversity**

4 FOR the purpose of requiring certain nonpublic institutions of higher education to
5 submit a certain report regarding cultural diversity programs to the Maryland
6 Independent College and University Association on or before a certain date each
7 year; requiring the Association to submit a certain report on the status of
8 certain cultural diversity programs to the Maryland Higher Education
9 Commission on or before a certain date each year; requiring the report to
10 include a certain analysis; requiring certain public institutions of higher
11 education to develop and implement certain plans for a program of cultural
12 diversity; requiring certain plans to include certain improvements to certain
13 programs under certain circumstances; requiring certain plans to include
14 certain implementation strategies and timelines for meeting certain goals;
15 providing for the contents of a certain plan; requiring certain plans to enhance
16 certain programming and certain sensitivity through certain instruction and
17 training; ~~requiring certain institutions of higher education to submit certain~~
18 ~~plans to the Maryland Higher Education Commission; requiring the~~
19 ~~Commission to monitor certain plans to track implementation and compliance~~
20 ~~with the plans;~~ requiring certain public institutions of higher education to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 submit certain plans to the governing body of the institution for review on or
 2 before a certain date each year; requiring the governing body of certain
 3 institutions to submit a certain progress report to the Commission on or before a
 4 certain date each year; requiring the Commission to review the progress report
 5 to monitor compliance with the goals of the State Plan for Higher Education;
 6 and generally relating to plans for programs of cultural diversity.

7 BY repealing and reenacting, with amendments,

8 Article – Education

9 Section 10–211

10 Annotated Code of Maryland

11 (2006 Replacement Volume)

12 BY adding to

13 Article – Education

14 Section 11–406

15 Annotated Code of Maryland

16 (2006 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Education**

20 10–211.

21 (a) The nonpublic institutions of higher education in the State are an
 22 important educational resource and are vital to the provision of postsecondary
 23 education in the State.

24 (b) The State shall continue to provide financial aid as provided by law to
 25 nonpublic institutions of higher education to foster this important educational
 26 resource.

27 **(c) (1) ON OR BEFORE MAY 1 OF EACH YEAR, EACH NONPUBLIC**
 28 **INSTITUTION OF HIGHER EDUCATION ELIGIBLE FOR STATE AID UNDER § 17–103**
 29 **OF THIS ARTICLE SHALL SUBMIT A REPORT ON THE INSTITUTION’S PROGRAMS**
 30 **TO PROMOTE AND ENHANCE CULTURAL DIVERSITY ON ITS CAMPUS TO THE**
 31 **MARYLAND INDEPENDENT COLLEGE AND UNIVERSITY ASSOCIATION.**

32 **(2) (I) ON OR BEFORE AUGUST 1 OF EACH YEAR, THE**
 33 **MARYLAND INDEPENDENT COLLEGE AND UNIVERSITY ASSOCIATION SHALL**

1 SUBMIT A REPORT ON THE STATUS OF THE PROGRAMS REPORTED TO THE
2 ASSOCIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE
3 COMMISSION.

4 (II) THE REPORT SUBMITTED TO THE COMMISSION UNDER
5 SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE AN ANALYSIS OF THE
6 BEST PRACTICES USED BY NONPUBLIC INSTITUTIONS OF HIGHER EDUCATION
7 TO PROMOTE AND ENHANCE CULTURAL DIVERSITY ON ITS CAMPUSES.

8 **11-406.**

9 (A) (1) (I) EACH PUBLIC INSTITUTION OF HIGHER EDUCATION IN
10 THE STATE SHALL DEVELOP AND IMPLEMENT A PLAN FOR A PROGRAM OF
11 CULTURAL DIVERSITY.

12 ~~(2)~~ (II) IF AN INSTITUTION OF HIGHER EDUCATION ALREADY
13 HAS A PROGRAM OF CULTURAL DIVERSITY, THE INSTITUTION OF HIGHER
14 EDUCATION SHALL DEVELOP AND IMPLEMENT A PLAN FOR IMPROVING THE
15 PROGRAM.

16 ~~(3)~~ (III) A PLAN DEVELOPED AND IMPLEMENTED UNDER THIS
17 SUBSECTION SHALL INCLUDE AN IMPLEMENTATION STRATEGY AND A TIMELINE
18 FOR MEETING GOALS WITHIN THE PLAN.

19 (2) A PLAN DEVELOPED UNDER PARAGRAPH (1) OF THIS
20 SUBSECTION SHALL INCLUDE:

21 (I) A DESCRIPTION OF THE WAY THE INSTITUTION
22 ADDRESSES CULTURAL DIVERSITY AMONG ITS STUDENT, FACULTY, AND STAFF
23 POPULATIONS;

24 (II) A DESCRIPTION OF HOW THE INSTITUTION PLANS TO
25 ENHANCE CULTURAL DIVERSITY, IF IMPROVEMENT IS NEEDED;

26 (III) A PROCESS FOR RESPONDING TO HATE CRIMES AND
27 BIAS-MOTIVATED INCIDENTS THAT MAY OCCUR ON CAMPUS; AND

28 (IV) A SUMMARY OF ANY RESOURCES, INCLUDING STATE
29 GRANTS, NEEDED BY THE INSTITUTION TO EFFECTIVELY RECRUIT AND RETAIN
30 A CULTURALLY DIVERSE STUDENT BODY.

1 ~~(B)~~ **(3) A PLAN DEVELOPED UNDER SUBSECTION (A) OF THIS**
 2 **SECTION PARAGRAPH (1) OF THIS SUBSECTION SHALL ENHANCE CULTURAL**
 3 **DIVERSITY PROGRAMMING AND SENSITIVITY TO CULTURAL DIVERSITY**
 4 **THROUGH INSTRUCTION AND TRAINING AT THE INSTITUTION OF HIGHER**
 5 **EDUCATION.**

6 ~~(C) EACH INSTITUTION OF HIGHER EDUCATION SHALL SUBMIT ITS~~
 7 ~~PLAN TO THE COMMISSION.~~

8 ~~(D) THE COMMISSION SHALL MONITOR EACH PLAN TO TRACK~~
 9 ~~IMPLEMENTATION AND COMPLIANCE WITH THE PLAN.~~

10 **(B) (1) ON OR BEFORE MAY 1 OF EACH YEAR, EACH INSTITUTION**
 11 **SHALL SUBMIT THE PLAN DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION**
 12 **TO THE GOVERNING BODY OF THE INSTITUTION FOR THE GOVERNING BODY'S**
 13 **REVIEW.**

14 **(2) ON OR BEFORE AUGUST 1 OF EACH YEAR, THE GOVERNING**
 15 **BODY OF AN INSTITUTION SHALL SUBMIT A PROGRESS REPORT REGARDING THE**
 16 **INSTITUTION'S IMPLEMENTATION OF ITS PLAN TO THE COMMISSION.**

17 **(C) THE COMMISSION SHALL REVIEW THE PROGRESS REPORT**
 18 **SUBMITTED BY EACH GOVERNING BODY UNDER SUBSECTION (B) OF THIS**
 19 **SECTION TO MONITOR COMPLIANCE WITH THE GOALS OF THE STATE PLAN FOR**
 20 **HIGHER EDUCATION.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 22 ~~October~~ July 1, 2007.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.