

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 1021

(Senator Conway)

Education, Health, and Environmental Affairs

Ways and Means

Community Colleges - Baccalaureate Degrees - Prohibition

This bill prohibits a community college from offering a baccalaureate degree. If a community college's request for proposals (RFP) to offer a baccalaureate degree program that is not offered in the region under the collaborative process allowed under current law is distributed by the Maryland Higher Education Commission (MHEC), the baccalaureate degree must be awarded by a public, private nonprofit, or out-of-state four-year higher education institution. **The bill takes effect June 1, 2018, and terminates May 31, 2020.**

Fiscal Summary

State Effect: None. The bill codifies and clarifies current practice.

Local Effect: None. This codifies and clarifies current practice.

Small Business Effect: None.

Analysis

Bill Summary: The bill also clarifies that an out-of-state four-year higher education institution or for-profit institution of higher education must obtain the approval of MHEC prior to offering a degree program with a community college in the State.

Current Law: The term "applied baccalaureate" is not defined in the Education Article or in State regulations.

Joint Offering of a Baccalaureate Degrees

A board of trustees of a community college may submit to MHEC a RFP to offer a baccalaureate degree program not offered in the region. Before submitting a RFP, a community college must (1) seek input from students and interested community groups about the program; (2) determine the regional or statewide need for graduates of the program; (3) identify enrollment patterns, characteristics of students, and other unique circumstances that would require the program to be offered in a particular manner; and (4) determine that the program is necessary to meet the academic and economic development needs of the region or State. MHEC must distribute the RFP to public and private four-year institutions in the State.

If no in-state institutions submit acceptable responses to the RFP, the board of trustees may submit the RFP to out-of-state four-year institutions. Before offering the program, an out-of-state institution's program must *seek* approval from MHEC.

According to State regulations, a joint baccalaureate program as described in statute is for the awarding of a Bachelor of Technical Studies (BTS) or the Bachelor of Professional Studies (BPS).

Regulations authorize an institution to award a BTS or BPS degree of at least 120 credit hours awarded for the successful completion of an Associate of Applied Sciences (AAS) degree, an advanced program of study in the designated area of concentration, and a three-credit hour internship related to the program. Under an articulated agreement, students who have completed an AAS degree may obtain a BTS or a BPS in a related, specialized area of concentration at an institution with degree-granting authority in the State. The area of concentration must be specified by the institution granting the BTS or BPS. The receiving institution must accept not less than 60 credit hours and not more than 64 credit hours for the AAS degree.

MHEC must provide information on technical or professional fields that have graduated significant numbers of students and for which one or more community colleges request an articulated BTS or BPS degree. Institutions that wish to participate in developing a BTS or BPS must meet and develop a memorandum of understanding (MOU). Participating institutions must notify MHEC of their intent to develop the new degree program.

An MOU must be drafted and agreed to by institutions. The MOU must address procedures for admissions, registration, advising, student services, financial aid, tuition, and faculty resources. Programmatic and degree requirements must also be identified. The program must include an internship that encompasses specific competencies and is a minimum of three credit hours. The program must be made available at the principal location or other

convenient locations, or both. The program may also be delivered through distance education. The MOU must be submitted to MHEC instead of a program proposal.

New Degrees

If an in-state institution wishes to offer a new degree not previously offered by the institution (unless already controlled by the Institutional Approval Process), the institution must submit a proposal and request MHEC to assess the readiness of the institution to grant the degree in accordance with MHEC policies and procedures.

In response to a request for approval of a new degree, the Secretary of Higher Education may appoint a team to make an on-site visit. If appointed, the team's assessment and recommendations must be presented to the Secretary.

The institution is responsible for the costs of the review. The Secretary of Higher Education must grant full approval to an institution exhibiting the capability to award a new degree. The Secretary may grant conditional approval to an institution demonstrating potential capability to award the degree. The Secretary must prepare a report for the commission on the Secretary's action.

Associate Degree-granting Authority.

The Secretary of Higher Education may not grant approval to offer new associate degrees to a (1) public institution granting baccalaureate or higher degrees or (2) private institution granting baccalaureate or higher degrees that does not offer an associate degree.

In extraordinary situations, the Secretary may grant approval to offer a new associate degree-level program to a private institution granting baccalaureate or higher degrees that offers associate degrees when that program is justified by the institution's mission, unique nature of the program, and need for the program.

Regional Higher Education Centers

A regional higher education center (RHEC) is a facility at which at least two institutions of higher education offer classes, consisting of a variety of program offerings and multiple degree levels. RHECs are designed to ensure access to higher education in underserved areas of the State. They provide baccalaureate and graduate programs in places where students do not have access to higher education due to geographical distance, commute time, or the limited capacity of local four-year institutions. RHECs offer the State an opportunity to address workforce needs in high-demand areas, particularly for nontraditional students, and to support State, regional, and local economic development goals.

There are nine RHECs operating throughout Maryland. The University System of Maryland (USM) currently operates two RHECs: the Universities at Shady Grove and USM at Hagerstown. The other seven are independent regional centers that are coordinated by MHEC and exist in areas not served by comprehensive four-year institutions of higher education.

Background: MHEC received a proposal from the Maryland Association of Community Colleges (MACC) to implement applied baccalaureate degrees at Maryland community colleges. In response, MHEC commissioners voted to create an Applied Baccalaureate Workgroup to study and consider the implementation of an applied baccalaureate degree in Maryland on December 13, 2017. The first meeting was held on February 8, 2018. There are four more meetings currently scheduled to discuss the topic.

Currently, an applied baccalaureate degree does not exist in Maryland. Community colleges currently offer lower degree certificates and associate degrees. In Maryland three four-year institutions offer bachelor and associate degrees (University of Maryland University College, Capital Technology University, and Washington Adventist University).

According to MACC, examples of applied baccalaureate degrees likely to be proposed by Maryland community colleges might include the following: automotive field operations, service, and training; aeronautical science, with related degrees in professional pilot, helicopter pilot, drone pilot, air traffic control, and dispatcher; human services, counseling, and chemical dependency counseling; interior design; allied health programing; and interpreter preparation.

Over 20 states allow community colleges to award bachelor's degrees. In most states only a few institutions offer the programs. In 2015, the Education Commission of the States published a policy analysis entitled [community colleges expanded role into awarding bachelor's degrees](#) that found that states that allow community colleges to award bachelor's degrees typically place limits on the type and number of bachelor's degrees that community colleges can offer to avoid program duplication and completion with nearby four-year institutions. A [list](#) of current bachelor's degrees offered by community colleges nationwide can be found on the community college baccalaureate association website.

In 2014, California enacted a bill to allow 15 community college districts to offer bachelor's degrees in areas with unmet bachelor's level workforce on a pilot basis. In December 2017, California's Legislative Analyst's Office (LAO) released a report entitled [California Community Colleges: Interim Evaluation of Baccalaureate Degree Pilot Program](#). In their review LAO found that a majority of the programs offered under the pilot program were in fields where the typical entry-level requirements are below a bachelor's degree; however, local employers and students reported many reasons for liking

the programs including the programs being more convenient and providing more nuanced job preparation tailored to local needs. LAO also found that most students enrolled in the pilot programs were demographically similar to students that transferred to four-year universities, although students interviewed by LAO said that they were place bound. LAO expressed concern about some colleges reporting their plans to discontinue existing associate degrees in favor of offering only their new bachelor's degrees.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Higher Education Commission; Baltimore City Community College; University System of Maryland; Morgan State University; St. Mary's College of Maryland; Maryland Independent College and University Association; California's Legislative Analyst's; Education Commission of the States; Community College Baccalaureate Association; Office Department of Legislative Services

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