

HOUSE BILL 702

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11r0859

By: **Delegate Ivey**

Introduced and read first time: January 26, 2021

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Standardized Tests – Prohibition of Use in Student**
3 **Admissions**

4 FOR the purpose of prohibiting a public institution of higher education from requiring an
5 applicant to submit a standardized test score as part of the admissions process;
6 specifying that the prohibition does not apply to a public medical school in the State;
7 making conforming changes; and generally relating to standardized test scores and
8 higher education.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 12–109(e), 14–104(e), and 15–101
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2020 Supplement)

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

16 **Article – Education**

17 12–109.

18 (e) Subject to the authority and applicable regulations and policies of the Board
19 of Regents, each president shall:

20 (1) Develop a plan of institutional mission in accordance with Title 11,
21 Subtitle 3 of this article;

22 (2) Have the authority to develop new academic programs and curtail or
23 eliminate existing programs in accordance with the procedures set forth in §§ 11–206 and
24 11–206.1 of this article;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (3) Formulate operating and capital budget requests designed to further
2 the mission of the institution;
- 3 (4) Appoint, promote, fix salaries, grant tenure, assign duties, and
4 terminate personnel;
- 5 (5) Subject to the provisions of subsection (g) of this section, have authority
6 to create any position within existing funds available to the University, to the extent the
7 cost of the position, including the cost of any fringe benefits, is funded from existing funds;
- 8 (6) [Establish] **SUBJECT TO STATE LAWS AND REGULATIONS,**
9 **ESTABLISH** admissions standards;
- 10 (7) Set tuition and fees;
- 11 (8) Administer financial aid;
- 12 (9) Enter into contracts and cooperative agreements;
- 13 (10) Have the authority to accept gifts and grants and maintain and manage
14 endowment income;
- 15 (11) Have the authority to recommend change in the name or status of the
16 institution;
- 17 (12) Regulate and administer athletic and student activities;
- 18 (13) In compliance with State, federal, and Board mandates and policies,
19 oversee affirmative action and equal employment opportunities;
- 20 (14) Establish organizations for the administration of campus alumni
21 affairs;
- 22 (15) Be responsible for all academic matters;
- 23 (16) Have the authority to establish and appoint an institutional board to:
- 24 (i) Provide advice to the president;
- 25 (ii) Assist in community relations;
- 26 (iii) Assist in institutional development; or
- 27 (iv) Provide any other assistance requested by the president;
- 28 (17) Establish traffic regulations for the campus;

1 (18) Designate one or more representatives to participate as a party in
2 collective bargaining on behalf of the institution in accordance with Title 3 of the State
3 Personnel and Pensions Article; and

4 (19) Perform any other duties assigned by the Board.

5 14–104.

6 (e) The Board of Regents may review or adopt policies and procedures of the
7 University with respect to:

8 (1) Accreditation;

9 (2) Programs and functions;

10 (3) Actual and potential capabilities;

11 (4) **[Admissions] SUBJECT TO STATE LAWS AND REGULATIONS,**
12 **ADMISSIONS;**

13 (5) Curricula;

14 (6) Graduation;

15 (7) The awarding of degrees; and

16 (8) General policymaking.

17 15–101.

18 (a) **(1) [Each] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, EACH**
19 **public institution of higher education shall accept for admission any graduate of an**
20 **approved public high school:**

21 **[(1)] (I) Who is certified by his high school principal, based on standards**
22 **of the State Board of Education, as qualified to pursue a course of study at the institution;**
23 **or**

24 **[(2)] (II) Who meets the admission standards of the institution.**

25 **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A**
26 **PUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT REQUIRE AN APPLICANT TO**
27 **SUBMIT A STANDARDIZED TEST SCORE AS PART OF THE ADMISSIONS PROCESS.**

1 **(II) THIS PARAGRAPH DOES NOT APPLY TO THE UNIVERSITY OF**
2 **MARYLAND SCHOOL OF MEDICINE OR ANY OTHER PUBLIC MEDICAL SCHOOL IN THE**
3 **STATE.**

4 (b) (1) Each public institution of higher education may accept, for special
5 admission any student who has:

6 (i) Completed the seventh grade; and

7 (ii) A scholastic aptitude test combined score of 1,200 or an
8 equivalent score on a nationally accepted college entrance examination.

9 (2) This subsection does not affect the State or local share of aid provided
10 pursuant to § 5–202 of this article to the secondary school in which the student is enrolled.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2021.