

MARYLAND REGISTER

## Proposed Action on Regulations

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	02/27/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 4/4/2014

2. COMAR Codification

**Title Subtitle Chapter Regulation**

13B 01 01 04

3. Name of Promulgating Authority

Maryland Higher Education Commission

**4. Name of Regulations Coordinator Telephone Number**  
Tonya L Johnson 410-767-3312

**Mailing Address**

6 N. Liberty St., 10th Floor

**City State Zip Code**  
Baltimore MD 21201

**Email**  
tjohnson@mhec.state.md.us

**5. Name of Person to Call About this Document Telephone No.**  
Patricia A Logan 410-767-3313

**Email Address**  
plogan@mhec.state.md.us

6. Check applicable items:  
 New Regulations

**X- Amendments to Existing Regulations**

Date when existing text was downloaded from COMAR online: 2/27/14.

- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:

: Md. R  
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

**7. Is there emergency text which is identical to this proposal:**

**X- Yes**  No

If yes, corresponding proposed text published in:

**X- same issue**

- future issue
- previous issue; it appeared in

: Md. R  
(vol.) (issue) (page no's) (date)

Under Maryland Register docket no.: --E.

**8. Incorporation by Reference**

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

**9. Public Body - Open Meeting**

**X- OPTIONAL** - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

**X- OPTIONAL** - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

**10. Children's Environmental Health and Protection**

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

**11. Certificate of Authorized Officer**

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Patricia A Logan, Assistant Attorney General, (telephone #410-767-3313) on February 27, 2014. A written copy of the approval is on file at this agency.

**Name of Authorized Officer**

Patricia A Logan

**Title**  
Assistant Attorney General

**Telephone No.**  
410-767-3313

**Date**  
February 27, 2014

**Title 13B**  
**B MARYLAND HIGHER EDUCATION COMMISSION**  
**Subtitle 01 NONPUBLIC SCHOOLS**

**13B.01.01 Minimum Requirements for Private Career Schools**

Authority: Education Article, §§11-105(u) and 11-201, Annotated Code of Maryland.

**Notice of Proposed Action**

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The Maryland Higher Education Commission proposes to amend Regulation .04 under COMAR 13B.01.01 Minimum Requirements for Private Career Schools.

This action was considered by the Commission at an open meeting held on February 26, 2014, notice of which was given as required by State Government Article, §10-506(c), Annotated Code of Maryland.

**Statement of Purpose**

The purpose of this action is to provide for real estate private career schools to receive approval for satellite classrooms and provide the requirements for receiving that approval.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

## Opportunity for Public Comment

Comments may be sent to Dr. Shawna Acker-Ball, Director, Academic Affairs, Maryland Higher Education Commission, 6 N Liberty Street, Baltimore, MD 21201, or call 410-767-3268, or email to [sackerball@mhec.state.md.us](mailto:sackerball@mhec.state.md.us), or fax to 410-332-0270. Comments will be accepted through May 5, 2014. A public hearing has not been scheduled.

### Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2014

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

General funds will be used, but no new or additional general fund appropriation is necessary. The regulation can be implemented by the agency as part of its existing workload.

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

This creates no additional work for the Maryland Higher Education Commission, but is merely a change in process.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

This regulation will streamline the industry's dealings with Maryland Higher Education Commission. There will be no effect on industry revenue. However, it will reduce the amount of time and paperwork associated with administering the real estate private career school, thus potentially decreasing operational expenses of the small business private career school.

G. Small Business Worksheet:

Attached Document:

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## **TITLE 13B, MARYLAND HIGHER EDUCATION COMMISSION**

### **SUBTITLE 01 NONPUBLIC SCHOOLS**

#### **Chapter 01 Minimum Requirements for Private Career Schools**

**04. School Approval Process.**

A.—D. (text unchanged)

E. (text unchanged)

(1)—(4) (text unchanged)

(5) *Satellite Classrooms.*

*(a) In this paragraph, "satellite classroom" means an additional instructional space geographically separated from a real estate school's approved location.*

*(b) A real estate school approved to offer a real estate salesperson pre-licensing program may establish one or more satellite classrooms to offer its approved program in the approved manner with qualified instructors without the prior approval of the Secretary.*

*(c) A satellite classroom shall be:*

*(i) Located only in an established real estate office or other recognized place of business conducive to classroom instruction; and*

*(ii) Used only for the purpose of instruction.*

*(d) Each real estate school establishing a satellite classroom shall:*

*(i) Maintain a complete list of all satellite classrooms, identifying each classroom by business name and address;*

*(ii) Submit the complete list with the school's annual report each year, stating whether the satellite classroom was used during the reporting year;*

*(iii) Limit total student enrollment at its approved location and all satellite classrooms to the maximum enrollment approved by the Secretary; and*

*(iv) Maintain all student records from its satellite classrooms at the school's approved location.*