

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Maryland Higher Education Commission
(DLS Control No. 16-034)**

Overview and Legal and Fiscal Impact

The regulation amends the general education requirements for public institutions of higher education operating in Maryland.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Maryland Higher Education Commission:

General Education and Transfer: Public Institutions of Higher Education:
COMAR 13B.06.01.03

Legal Analysis

Background

Over the past two years, the Maryland Higher Education Commission coordinated an Intersegmental Chief Academic Officers group that conducted a comprehensive review of general education requirements in COMAR for undergraduate degrees at public institutions of higher education. The group developed and vetted proposed changes across the Maryland higher education community, including modifications to existing categories as well as reductions to the lower limits of required credits for general education in order to accommodate compliance with the College and Career Readiness and College Completion Act of 2013.

The group recommended a change in the general education mathematics requirement to reflect the twenty-first century knowledge and skills that students need to succeed in all majors in college and in the workplace. The current regulation that requires mathematics “at or above the level of college algebra” has been interpreted by some individuals to preclude alternative pathways for students who may be better served by a statistics or quantitative literacy foundation. The group’s recommendations on mathematics are intended to allow for more flexible mathematics pathways that would be better aligned with student majors and careers.

Summary of Regulation

Public institutions of higher education in Maryland have the autonomy to design a general education program that meets the unique needs and mission of the institution within the framework of certain common standards established in regulation. The regulation makes several changes to the general education requirements for public institutions of higher education, including adding a requirement for institutions to incorporate the general education knowledge and skills required by the Middle States Commission on Higher Education Standards for Accreditation.

Under the regulation, institutions must comply with the following changes to the general education requirements no later than August 1, 2017:

- the semester hour requirement for A.A. or A.S. degree programs is lowered to not less than 28, instead of not less than 30;
- the semester hour requirement for baccalaureate programs is lowered to not less than 38, instead of not less than 40;
- the semester hour requirement for A.A.S. degree programs is lowered to at least 18, instead of at least 20, from the same course list designated by the sending institution for the A.A. and A.S. degrees;
- general education programs are required to have at least two courses in arts and humanities and social and behavioral sciences, instead of one course in each;
- the requirement for general education programs is altered to require at least one course in mathematics that has performance expectations that demonstrate a level of mathematical maturity beyond the Maryland College and Career Ready Standards in Mathematics that includes certain skills and concepts, instead of at or above the level of college algebra;
- the requirement for one course in English composition is altered to require a grade of C- or better;
- language relating to institution-specific requirements is simplified by authorizing institutions to include up to eight semester hours in coursework outside of five key areas (arts and humanities, social and behavioral sciences, biological and physical sciences, mathematics, and English composition); and
- language regarding certain knowledge and skills that may be incorporated in the general education program is deleted.

Legal Issues

The regulation presents no legal issues of concern.

Statutory Authority and Legislative Intent

The commission cites § 11-105(u) and Title 11, Subtitle 2 of the Education Article as legal authority for the regulations. Section 11-105(u) gives the commission authority to adopt any rule or regulation necessary to carry out its powers and duties. Title 11, Subtitle 2 deals with the authority of the commission to grant certificates of approval for institutions of postsecondary education. Specifically, § 11-201 requires the commission to establish minimum requirements for issuing certificates, diplomas, and degrees by institutions of postsecondary education. The remaining cited authority is not relevant to these regulations.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The commission advises that the regulation has no impact on State or local governments. The Department of Legislative Services concurs. Reducing the number of credits required of students to satisfy the general education requirement, and adjusting the requirements for general education, does not materially impact the finances of the commission or public institutions of higher education. Institutions of higher education may still require more than the minimum number of higher education credits, up to a maximum number of credits, which is unchanged by the proposed regulation.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The commission advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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