

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>
	06/15/2020	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 7/31/2020

2. COMAR Codification

**Title Subtitle Chapter Regulation**

13B 06 01 02, .02-1, .04, .08

3. Name of Promulgating Authority

Maryland Higher Education Commission

4. Name of Regulations Coordinator

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6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: 04/20/2020.

Repeal of Existing Regulations



Authority: Education Article, §§11-105(u) and 11-207 and Title 11, Subtitle 2, Annotated Code of Maryland

### **Notice of Proposed Action**

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The Maryland Higher Education Commission proposes to amend Regulations .02, .02-1, .04, and .08 under COMAR 13B.06.01 Public Institutions of Higher Education. This action was considered at an open meeting of the Commission held April 28, 2020.

### **Statement of Purpose**

The purpose of this action is to add a definition for "first-time student with advanced standing" under COMAR 13B.06.01 and incorporate the newly defined term in regulations relating to admissions and acceptance of transferred course credit.

### **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 Emily A. A. Dow, Ph.D., Assistant Secretary for Academic Affairs, Maryland Higher Education Commission, 6 N. Liberty St., 10th Floor, Baltimore, MD 21201, or call 410-767-3041, or email to [emily.dow@maryland.gov](mailto:emily.dow@maryland.gov), or fax to . Comments will be accepted through August 31, 2020. A public hearing has not been scheduled.

### **Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 21

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

No

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

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

no funds needed for implementation

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

These regulations do not impose additional requirements on institutions.

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

These regulations do not impose additional requirements on institutions.

G. Small Business Worksheet:

Attached Document:

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## **Title 13B MARYLAND HIGHER EDUCATION COMMISSION**

### **Subtitle 06 GENERAL EDUCATION AND TRANSFER**

#### **Chapter 01 Public Institutions of Higher Education**

Authority: Education Article, §§11-105(u) and 11-207 and Title 11, Subtitle 2, Annotated Code of Maryland

##### **.02 Definitions.**

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) – (11) (text unchanged)

(12) *“First-time student” means a student who:*

(a) *Has earned a high school diploma or equivalent; and*

(b) *Has not earned any college credit from an institution of higher education subsequent to earning the high school diploma or equivalent.*

(13) *First-time student with advanced standing” means a first-time student who earned college credit from an institution of higher education prior to earning a high school diploma or equivalent.*

[(12)] (14) – [(17)] (19) (text unchanged)

[(18)] (20) "Receiving institution" means the institution of higher education [at] to which a [transfer] student [currently] desires to [enroll] *transfer credit.*

[(19)] (21) – [(20)] (22) (text unchanged)

[(21)] (23) "Sending institution" means the institution of higher education of most recent previous enrollment by a [transfer] student at which [transferable] *applicable* academic credit was earned.

[(22)] (24) (text unchanged)

[(23)] (25) "Transfer student" means a student entering an institution for the first time having successfully completed a minimum of 12 semester hours at another institution *of higher education after earning a high school diploma or equivalent* that are applicable for credit at the institution the student is entering.

##### **.02-1 Admission of Transfer Students [to Public Institutions] and First-Time Students with Advanced Standing.**

A. Admission to *Public Institutions.*

(1) Subject to §B of this regulation, a student attending a public institution who has completed an associate's degree or who has completed 60 or more semester hours of credit[, may] *shall* not be denied direct transfer to another

public institution if the student attained a cumulative grade point average of at least 2.0 on a 4.0 scale or its equivalent at the sending institution, except as provided in §A(4) of this regulation.

(2) Subject to §B of this regulation, a student attending a public institution who has not completed an associate's degree or who has completed fewer than 60 semester hours of credit[,] is eligible to transfer to a public institution regardless of the number of credit hours earned if the student:

(a) Satisfied the *same* admission criteria *as a native student at* [of] the receiving public institution [as a high school senior]; and

(b) Attained at least a cumulative grade point average of 2.0 on a 4.0 scale or its equivalent at the sending institution.

(3) (text unchanged)

(4) If the number of students seeking admission exceeds the number that can be accommodated at a receiving public institution, admission decisions shall be:

(a) Based on criteria developed and published by the receiving public institution on the institution's website; and

(b) Made to provide fair and equal treatment for native *students*, [and] transfer students, *and first-time students with advanced standing*.

#### B. Admission to Programs.

(1) A receiving public institution may require additional program admission requirements to some programs if the standards and criteria for admission to the program:

(a) Are developed and published by the receiving public institution; and

(b) Maintain fair and equal treatment for native *students*, [and] transfer students, *and first-time students with advanced standing*.

(2) (text unchanged)

#### C. Receiving Institution Program Responsibility.

(1) – (2) (text unchanged)

(3) A receiving public institution, in developing lower division course work, shall exchange information with other public institutions to facilitate the [transfer] *transfer* of credits into its programs.

(4) A receiving public institution shall ensure that any changes to program standards and criteria for admission and the transfer of credits;

(a) maintain the fair and equal treatment of native *students*, [and] transfer students, *and first-time students with advanced standing*;[,] and

(b) are communicated in a timely manner.

### **.04 Transfer of Education Program Credit.**

A. – B. (text unchanged)

#### C. Nontraditional Credit.

(1) The assignment of credit for AP, CLEP, or other nationally recognized standardized examination scores presented by [transfer students is] *any student shall be* determined according to the same standards that apply to native students in the receiving institution[,] and [the assignment shall be] consistent with the State minimum requirements.

(2) – (5) (text unchanged)

D. – F. (text unchanged)

### **.08 Appeal Process.**

#### A. Notice of Denial of Transfer Credit by a Receiving Institution.

(1) Except as provided in §A(2) of this regulation, a receiving institution shall inform a [transfer] student in writing of [the] *a* denial of transfer credit not later than mid-semester of the [transfer] student's first semester, if all official transcripts have been received at least 15 working days before mid-semester.

(2) – (4) (text unchanged)

B. – E. (text unchanged)