

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 395

(Senators Augustine and Rosapepe)

Education, Energy, and the Environment

Appropriations

**Higher Education - Credit Eligibility and Transfer of Credits - English as a
Second Language Courses (Credit for All Language Learning (CALL) Act)**

This bill requires English as a Second Language (ESL) or English language learner courses taken at a public community college – if those courses are not classified as remedial by the community college – to transfer to any public institution of higher education in the State, as specified. A public institution of higher education in the State may not deny the transfer of such credits for any reason. These credits *may* also be transferable to a private nonprofit institution of higher education in the State; a private nonprofit institution must review and consider the transfer credits. A public community college must consider a course or program for ESL or English language learner as eligible for either world language or humanities credit, or both, toward a student’s associate degree if the course is not classified as a remedial course. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: Public four-year institutions of higher education can transfer ESL and English language learner courses (not classified as remedial) taken at community colleges using existing resources. Higher education revenues are not materially affected.

Local Effect: Local community colleges can consider an ESL or English language learner course (not classified as remedial) as either a world language or humanities course using existing resources. Local community colleges can transfer ESL and English language learner courses (not classified as remedial) taken at another community college using existing resources. Local community college revenues are not materially affected.

Small Business Effect: None.

Analysis

Current Law:

Institution of Higher Education

“Institution of higher education” is defined as an institution of postsecondary education that generally limits enrollment to graduates of secondary schools and awards degrees at either the associate, baccalaureate, or graduate level. It includes public, private nonprofit, and for-profit institutions.

Statute – Transfer Requirements

The Maryland Higher Education Commission (MHEC) must establish procedures for the transfer of students between public segments of postsecondary education. MHEC must recommend cooperative programs among segments of postsecondary education to assure appropriate flexibility in the higher education system. In conjunction with the governing boards of institutions, MHEC must establish standards for articulation agreements.

The procedures established must require a receiving institution that denies the transfer of a credit or course to an enrolled student to notify the transfer coordinator or institutional designee of the sending institution and the enrolled student about the denial within a time period that MHEC determines to be the latest possible time for the notification and specify the rationale for the denial. The transfer coordinator or institutional designee of the sending institution must conduct a review, in conjunction with the receiving institution’s designee, within a time period MHEC determines to be appropriate. Each public institution of higher education must submit an annual report to MHEC listing any denials of transfer of a credit or a course and the reasons for the denials.

MHEC, in collaboration with the public institutions of higher education, was required to develop and implement, by July 1, 2016, a statewide transfer agreement whereby at least 60 credits of general education, elective, and major courses that a student earns at any community college in the State toward an associate of arts or associate of science degree must be transferable to any public four-year higher education institution in the State for credit toward a bachelor’s degree.

In addition, MHEC, in collaboration with the public institutions of higher education, was required to develop and implement, by July 1, 2016, a statewide reverse transfer agreement whereby at least 30 credits that a student earns at any public four-year institution in the State toward a bachelor’s degree are transferable to any community college in the State for credit toward an associate degree.

Additional Comments: The University of Maryland, College Park Campus (UMCP) advises that, under current practice, if a community college course qualifies for general education credit at the community college, UMCP qualifies it as a general education course in the transfer process.

UMCP advises that Montgomery College (and possibly other community colleges) offers an English course for English language learners that satisfies UMCP's academic writing course requirement. It is unclear if, under the bill, this course will still qualify as an English course.

A private nonprofit institution of higher education *may* accept for transfer ESL or English language learner courses (not classified as remedial) taken at a public community college. Regardless, such institutions are required to review and consider these credits for transfer.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 569 (Delegate Solomon) - Appropriations.

Information Source(s): University System of Maryland; Morgan State University; St. Mary's College of Maryland; Maryland Independent College and University Association; Department of Legislative Services

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Analysis by: Caroline L. Boice

Direct Inquiries to:
(410) 946-5510
(301) 970-5510