

# HOUSE BILL 905

F2  
SB 416/07 – EHE

8lr2789  
CF SB 438

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By: **Delegates Gutierrez, Ali, Anderson, Barnes, Bobo, Branch, Braveboy, Carr, Gaines, Haynes, Heller, Hucker, Ivey, Jones, Kaiser, Lee, Manno, Nathan-Pulliam, Niemann, Pena-Melnyk, Proctor, Ramirez, Reznik, Rice, Robinson, Stukes, Taylor, V. Turner, and Valderrama**

Introduced and read first time: February 6, 2008

Assigned to: Appropriations

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Committee Report: Favorable

House action: Adopted

Read second time: March 20, 2008

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Institutions of Higher Education – Plans for Programs of Cultural Diversity**

3 FOR the purpose of requiring certain nonpublic institutions of higher education to  
4 submit a certain report regarding cultural diversity programs to the Maryland  
5 Independent College and University Association on or before a certain date each  
6 year; requiring the Association to submit a certain report on the status of  
7 certain cultural diversity programs to the Maryland Higher Education  
8 Commission on or before a certain date each year; requiring the report to  
9 include a certain analysis; requiring certain public institutions of higher  
10 education to develop and implement certain plans for a program of cultural  
11 diversity; requiring certain plans to include certain improvements to certain  
12 programs under certain circumstances; requiring certain plans to include  
13 certain implementation strategies and time lines for meeting certain goals;  
14 providing for the contents of a certain plan; requiring certain plans to enhance  
15 certain programming and certain sensitivity through certain instruction and  
16 training; requiring certain public institutions of higher education to submit  
17 certain plans to the governing body of the institution for review on or before a  
18 certain date each year; requiring the governing body of certain institutions to  
19 submit a certain progress report to the Commission on or before a certain date  
20 each year; requiring the Commission to review the progress report to monitor  
21 compliance with the goals of the State Plan for Higher Education; and generally  
22 relating to plans for programs of cultural diversity.

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,  
2 Article – Education  
3 Section 10–211  
4 Annotated Code of Maryland  
5 (2006 Replacement Volume and 2007 Supplement)

6 BY adding to  
7 Article – Education  
8 Section 11–406  
9 Annotated Code of Maryland  
10 (2006 Replacement Volume and 2007 Supplement)

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

13 **Article – Education**

14 10–211.

15 (a) The nonpublic institutions of higher education in the State are an  
16 important educational resource and are vital to the provision of postsecondary  
17 education in the State.

18 (b) The State shall continue to provide financial aid as provided by law to  
19 nonpublic institutions of higher education to foster this important educational  
20 resource.

21 (c) (1) **ON OR BEFORE MAY 1 OF EACH YEAR, EACH NONPUBLIC**  
22 **INSTITUTION OF HIGHER EDUCATION ELIGIBLE FOR STATE AID UNDER § 17–103**  
23 **OF THIS ARTICLE SHALL SUBMIT A REPORT ON THE INSTITUTION’S PROGRAMS**  
24 **TO PROMOTE AND ENHANCE CULTURAL DIVERSITY ON ITS CAMPUS TO THE**  
25 **MARYLAND INDEPENDENT COLLEGE AND UNIVERSITY ASSOCIATION.**

26 (2) (i) **ON OR BEFORE AUGUST 1 OF EACH YEAR, THE**  
27 **MARYLAND INDEPENDENT COLLEGE AND UNIVERSITY ASSOCIATION SHALL**  
28 **SUBMIT A REPORT ON THE STATUS OF THE PROGRAMS REPORTED TO THE**  
29 **ASSOCIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE**  
30 **COMMISSION.**

31 (ii) **THE REPORT SUBMITTED TO THE COMMISSION UNDER**  
32 **SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE AN ANALYSIS OF THE**  
33 **BEST PRACTICES USED BY NONPUBLIC INSTITUTIONS OF HIGHER EDUCATION**  
34 **TO PROMOTE AND ENHANCE CULTURAL DIVERSITY ON THEIR CAMPUSES.**

35 11–406.

1           (A) (1) (I) EACH PUBLIC INSTITUTION OF HIGHER EDUCATION IN  
2 THE STATE SHALL DEVELOP AND IMPLEMENT A PLAN FOR A PROGRAM OF  
3 CULTURAL DIVERSITY.

4                           (II) IF AN INSTITUTION OF HIGHER EDUCATION ALREADY  
5 HAS A PROGRAM OF CULTURAL DIVERSITY, THE INSTITUTION OF HIGHER  
6 EDUCATION SHALL DEVELOP AND IMPLEMENT A PLAN FOR IMPROVING THE  
7 PROGRAM.

8                           (III) A PLAN DEVELOPED AND IMPLEMENTED UNDER THIS  
9 SUBSECTION SHALL INCLUDE AN IMPLEMENTATION STRATEGY AND A TIME LINE  
10 FOR MEETING GOALS WITHIN THE PLAN.

11           (2) A PLAN DEVELOPED UNDER PARAGRAPH (1) OF THIS  
12 SUBSECTION SHALL INCLUDE:

13                           (I) A DESCRIPTION OF THE WAY THE INSTITUTION  
14 ADDRESSES CULTURAL DIVERSITY AMONG ITS STUDENT, FACULTY, AND STAFF  
15 POPULATIONS;

16                           (II) A DESCRIPTION OF HOW THE INSTITUTION PLANS TO  
17 ENHANCE CULTURAL DIVERSITY, IF IMPROVEMENT IS NEEDED;

18                           (III) A PROCESS FOR RESPONDING TO HATE CRIMES AND  
19 BIAS-MOTIVATED INCIDENTS THAT MAY OCCUR ON CAMPUS; AND

20                           (IV) A SUMMARY OF ANY RESOURCES, INCLUDING STATE  
21 GRANTS, NEEDED BY THE INSTITUTION TO EFFECTIVELY RECRUIT AND RETAIN  
22 A CULTURALLY DIVERSE STUDENT BODY.

23           (3) A PLAN DEVELOPED UNDER PARAGRAPH (1) OF THIS  
24 SUBSECTION SHALL ENHANCE CULTURAL DIVERSITY PROGRAMMING AND  
25 SENSITIVITY TO CULTURAL DIVERSITY THROUGH INSTRUCTION AND TRAINING  
26 AT THE INSTITUTION OF HIGHER EDUCATION.

27           (B) (1) ON OR BEFORE MAY 1 OF EACH YEAR, EACH INSTITUTION  
28 SHALL SUBMIT THE PLAN DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION  
29 TO THE GOVERNING BODY OF THE INSTITUTION FOR THE GOVERNING BODY'S  
30 REVIEW.

31           (2) ON OR BEFORE AUGUST 1 OF EACH YEAR, THE GOVERNING  
32 BODY OF AN INSTITUTION SHALL SUBMIT A PROGRESS REPORT REGARDING THE  
33 INSTITUTION'S IMPLEMENTATION OF ITS PLAN TO THE COMMISSION.

1           **(C) THE COMMISSION SHALL REVIEW THE PROGRESS REPORT**  
2 **SUBMITTED BY EACH GOVERNING BODY UNDER SUBSECTION (B) OF THIS**  
3 **SECTION TO MONITOR COMPLIANCE WITH THE GOALS OF THE STATE PLAN FOR**  
4 **HIGHER EDUCATION.**

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 July 1, 2008.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.