

SENATE BILL 471

F2, C2

0lr1411
CF 0lr3045

By: **Senators Madaleno, Conway, and Rosapepe**
Introduced and read first time: February 1, 2010
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Private Career Schools – Definition and Regulation**

3 FOR the purpose of altering the definition of private career school to include certain
4 institutions of postsecondary education that furnish or offer to furnish programs
5 that provide the knowledge and skills for individuals to engage in the practices
6 of any business, trade, or occupation for certain purposes; requiring certain
7 institutions of postsecondary education that become subject to certain
8 regulation as private career schools to take certain actions on or before a certain
9 date; and generally relating to the definition and regulation of private career
10 schools.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 10–101
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2009 Supplement)

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

18 **Article – Education**

19 10–101.

- 20 (a) In this division the following words have the meanings indicated.
- 21 (b) “Charter” means the Maryland Charter for Higher Education.
- 22 (c) “Commission” means the Maryland Higher Education Commission.
- 23 (d) “Governing board” means:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (1) The Board of Regents of the University System of Maryland;

2 (2) The Board of Regents of Morgan State University;

3 (3) The Board of Trustees of St. Mary's College of Maryland; and

4 (4) The Board of Trustees of Baltimore City Community College.

5 (e) "Governing body" means:

6 (1) A governing board;

7 (2) A board of trustees of a community college;

8 (3) The governing entity of nonpublic institutions of higher education;

9 or

10 (4) The governing entity of a regional higher education center.

11 (f) "Institution of higher education" means an institution of postsecondary
12 education that generally limits enrollment to graduates of secondary schools, and
13 awards degrees at either the associate, baccalaureate, or graduate level.

14 (g) (1) "Institution of postsecondary education" means a school or other
15 institution that offers an educational program in the State for individuals who are at
16 least 16 years old and who have graduated from or left elementary or secondary
17 school.

18 (2) "Institution of postsecondary education" does not include:

19 (i) Any adult education, evening high school, or high school
20 equivalence program conducted by a public school system of the State; or

21 (ii) Any apprenticeship or on-the-job training program subject
22 to approval by the Apprenticeship and Training Council.

23 (h) "Private career school" means a privately owned and privately operated
24 institution of postsecondary education other than an institution of higher education
25 that furnishes or offers to furnish programs, whether or not requiring a payment of
26 tuition or fee, for the purpose of:

27 (1) [training] **TRAINING**, retraining, or upgrading individuals for
28 gainful employment as skilled or semiskilled workers or technicians in recognized
29 occupations or in new and emerging occupations; **OR**

1 **(2) PROVIDING KNOWLEDGE AND SKILLS FOR INDIVIDUALS TO**
2 **ENGAGE IN THE PRACTICES OF ANY BUSINESS, TRADE, OR OCCUPATION FOR A**
3 **PERSONAL OR PROFESSIONAL PURPOSE.**

4 (i) “Program” or “educational program” means an organized course of study
5 that leads to the award of a certificate, diploma, or degree.

6 (j) “Public senior higher education institution” means:

7 (1) The constituent institutions of the University System of Maryland;

8 (2) Morgan State University; and

9 (3) St. Mary’s College of Maryland.

10 (k) “Regional higher education center” means a higher education facility in
11 the State that:

12 (1) Is operated by a public institution of higher education in the State
13 or a nonpublic institution of higher education operating under a charter granted by
14 the General Assembly and includes participation by two or more institutions of higher
15 education in the State;

16 (2) Consists of an array of program offerings from institutions of
17 higher education approved to operate in the State by the Commission or by an act of
18 the General Assembly that specifically satisfies the criteria set forth in § 10–212(b) of
19 this title;

20 (3) Offers multiple degree levels; and

21 (4) Is either approved by the Commission to operate in the State or is
22 established by statute.

23 (l) “Secretary” means the Secretary of Higher Education.

24 (m) “State Plan for Higher Education” means the plan for postsecondary
25 education and research required to be developed by the Maryland Higher Education
26 Commission under § 11–105(b) of this article.

27 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December
28 31, 2010, a privately owned and privately operated institution of postsecondary
29 education that becomes subject to regulation by the Maryland Higher Education
30 Commission as a private career school under the provisions of Section 1 of this Act
31 shall do those things necessary and proper to apply for a certificate of approval to
32 operate as a private career school.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2010.