

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

Senate Bill 111 (Chair, Education, Health, and Environmental Affairs
Committee)(By Request - Departmental - Higher
Education Commission)

Education, Health, and Environmental Affairs

Ways and Means

Maryland Higher Education Commission - Advisory Councils

This departmental bill codifies the Private Career School Advisory Council established by the Maryland Higher Education Commission (MHEC) in the Code of Maryland Regulations (COMAR). The bill also repeals the defunct William Donald Schaefer Scholarship Advisory Council established by MHEC.

Fiscal Summary

State Effect: None. The bill codifies the existing Private Career School Advisory Council and repeals the defunct William Donald Schaefer Scholarship Advisory Council.

Local Effect: None.

Small Business Effect: MHEC has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law: Under COMAR, the Secretary of Higher Education must appoint an advisory council to review all new private career school applications and make recommendations to the Secretary before a school is given initial approval. The Secretary may refer issues related to new program applications and program modifications to the advisory council for its review, comment, or recommendation. A member of the council may not participate in the voting on any issue that may present a

conflict of interest for that member. When an issue that presents a conflict of interest for a member is to be voted upon, that member must exit the room, and the member's departure must be noted in the minutes. If the Secretary is satisfied, based on all the information available to the Secretary, that the minimum requirements set forth in the regulations are met, the Secretary must issue a certificate of approval to operate on the conditions and for a period of time, not to exceed five years, as the Secretary may consider appropriate.

Background: MHEC advises that establishing the Private Career School Advisory Council in statute will provide it appropriate status based on the work it performs. The council reviews applications for a certificate of approval submitted to MHEC by businesses seeking to establish a private career school in Maryland. The council's review and recommendation to the Secretary precedes approval by the Secretary. The council also advises the Secretary, as requested, on applications for new programs offered by existing private career schools and changes of ownership by existing private career schools.

The William Donald Schaefer Scholarship Program and its advisory council were established by Chapter 413 of 2004. Chapter 367 of 2006 repealed the scholarship program as of July 1, 2012, due to the creation of the Workforce Shortage Student Assistance Grants Program, which consolidated several existing scholarships into a single program; however, the advisory council for the scholarship was not repealed by that chapter.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Higher Education Commission, Department of Legislative Services

Fiscal Note History: First Reader - January 13, 2014
mlm/rhh

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Maryland Higher Education Commission –Advisory Councils

BILL NUMBER: SB 111

PREPARED BY: Maryland Higher Education Commission

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

This proposed legislative change only impacts administrative procedures at MHEC. There will not be an impact on small business.