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Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1159
Appropriations

(Delegate Thiam)

Higher Education – Community College Credits – General Education Courses

This bill requires that *all general education credits* that a student earns at any community college in the State toward an associate of arts or associate of science degree be transferable to any public four-year institution in the State for credit toward a bachelor's degree without (1) further review by a public four-year institution or (2) a testing requirement. **The bill takes effect July 1, 2021.**

Fiscal Summary

State Effect: To the extent community college general education credits that are transferred to public four-year institutions fulfill graduation requirements, higher education revenues at public four-year institutions decrease by an estimated \$315 per credit hour. Any such revenue loss may be at least partially offset by higher level courses taken by students that remain enrolled. Nevertheless, as explained below, the number of courses that a transfer student takes at the public four-year institution of higher education is likely not significantly impacted; thus, revenues are likely not significantly affected. Baltimore City Community College revenues and expenditures are not materially affected.

Local Effect: Local community college revenues and expenditures are not materially affected.

Small Business Effect: None.

Analysis

Current Law:

Federal Transfer of Credit Requirements

According to federal law and regulations, an institution participating in a Title IV student aid program must make readily available, to enrolled and prospective students, a description of the transfer of credit policies established by the institution, which must include (1) any established criteria the institution uses regarding the transfer of credit earned at another institution and any types of institutions or sources from which the institution will not accept credits; (2) a list of institutions with which the institution has established an articulation agreement; and (3) written criteria used to evaluate and award credit for prior learning experiences, including, but not limited to, service in the armed forces, paid or unpaid employment, or other demonstrated competency or learning.

Statute – Transfer Requirements

The Maryland Higher Education Commission (MHEC) must establish procedures for 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.

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's degree.

Regulations – Transfer of Courses and Credits

The Code of Maryland Regulations establishes detailed transfer requirements that specify which types of credits and courses must transfer. In general, credit earned at any public institution in the State is transferable to any other public institution if (1) the credit is from

a college or university parallel course or program; (2) grades in the block of courses transferred averaged 2.0 or higher; and (3) acceptance of the credit is consistent with the policies of the receiving institution governing native students following the same program. In addition, community college courses taken as part of a recommended transfer program degree must be applicable to related programs at the receiving public institution granting the degree if successfully completed in accordance with the receiving institution's policies governing native students in the same program.

In general, a completed general education program must transfer (as lower division credits) without further review or approval by the receiving institution and without the need for a course-by-course match. The assignment of credit through a nationally recognized standardized exam such as the Advanced Placement (known as AP) exam must be determined according to the same standards that apply to native students in the receiving institution and consistent with the State minimum requirements. Other nontraditional credit, such as technical courses from career programs, must be evaluated on a course-by-course basis according to the same standards that apply to native students.

Regulations – Transfer of General Education Credits

A student transferring to one public institution from another public institution must receive general education credit for work completed at the student's sending institution, as specified.

A receiving institution may not require a transfer student who has completed the requisite number of general education credits at any public institution to take, as a condition of graduation, more than 10 to 18 additional semester hours of general education and specific courses required of all students at the receiving institution, with the total number not to exceed 46 semester hours. However, this does not relieve students of the obligation to complete specific academic program requirements or course prerequisites required by a receiving institution.

Each public institution must designate on or with the student transcript those courses that have met its general education requirements, as well as indicate whether the student has completed the general education program.

While there may be variance in the numbers of hours of general education required for associate's degrees at a given institution, the courses identified as meeting general education requirements for all degrees must come from the same general education course list and exclude technical or career courses.

A student possessing an associate's degree who transfers into a receiving institution with fewer than the total number of general education credits designated by the receiving

institution must complete the difference in credits according to the distribution as designated by the receiving institution. Except as specified, the total general education credits for baccalaureate degree-granting public receiving institutions may not exceed 46 credits.

Regulations – Student Transfer Responsibilities

According to regulations, a student is held accountable for the loss of credits that (1) result from changes in the student's selection of the major program of study; (2) were earned for remedial course work; or (3) exceed the total course credits accepted in transfer. A student is also responsible for meeting all requirements of the academic program of the receiving institution.

Regulations – General Education Courses Transfer Mediation Committee

According to regulations, sending and receiving institutions that disagree on the transferability of *general education courses* must submit their disagreements to the Secretary of Higher Education, who must appoint a Transfer Mediation Committee to adjudicate the disagreement. Members appointed to the committee must be representative of the public four-year colleges and universities and the community colleges. The committee must address general education issues at the course or curricular level, not individual student cases. As appropriate, the committee must consult with faculty on curricular issues. The findings of the committee are considered binding on both parties.

Regulations – Denial of Credit

According to regulations, the receiving institution must inform the student of the denial in writing no later than the middle of the student's first semester at the institution and must additionally inform the student of their right to appeal the decision. If the student exercises their right to appeal, the institution must respond within 10 working days, and their decision must be conveyed to the student in writing and be consistent with the applicable regulations. If the appeal is denied, the student may, within 10 working days, request that the transfer coordinator of their sending institution intercede on their behalf. Representatives of both institutions must affirm, modify, or reverse the initial decision within 15 working days of the request. This decision is final and must be conveyed to the student in writing.

Regulations – Transfer Coordinator

A public institution of higher education must designate a transfer coordinator, who serves as a resource person to transfer students at either the sending or receiving campus. The

transfer coordinator is responsible for overseeing the application of the policies and procedures and interpreting transfer policies to the individual student and to the institution.

Student Transfer Advisory Committee

The Student Transfer Advisory Committee (STAC) was codified in statute by Chapter 327 of 2012 for a 10-year period; thus, it terminates June 30, 2022. According to regulations, MHEC must establish a permanent STAC. STAC is expected to review and analyze (1) matriculation and student support services, including admission and advising practices and (2) any other student transfer-related issues referred to it by MHEC. STAC is required to report by December 1 in odd-numbered years.

Statute – General Education

Among other requirements, the community colleges of the State must provide a core curriculum of general education, including courses in the arts and sciences, that should be available to all students and provide lower level undergraduate course, in accordance with credit transfer guidelines set by MHEC, for students who aspire to continue their education at a public four-year institution.

Each public institution of higher education must develop a pathway system whereby public institutions of higher education establish graduation progress benchmarks for each academic major and for the general education program for students who have not declared a major.

Regulations – General Education Requirements for Public Institutions

While public institutions have the autonomy to design their general education program to meet their unique needs and mission, that program must conform to the definitions and common standards in regulations, and incorporate the general education knowledge and skills required by the Middle States Commission on Higher Education Standards for Accreditation. **Exhibit 1** shows the general education program requirements for public institutions of higher education in the State.

A course in a discipline listed in more than one of the areas of general education may be applied only to one area of general education. Public institutions may not include physical education skills courses as part of the general education requirements.

General education courses must reflect current scholarship in the discipline and provide reference to theoretical frameworks and methods of inquiry appropriate to academic disciplines. Courses that are theoretical may include applications, but all application

courses must include theoretical components if they are to be included as meeting general education requirements.

Exhibit 1
General Education Program Requirements
Public Institutions of Higher Education Credits

| <u>Distribution Areas</u> | <u>Associate of Applied Science</u> | <u>Associate of Arts/Science</u> | <u>Bachelor of Arts/Science</u> |
|----------------------------------------------------|--------------------------------------------|-----------------------------------------|----------------------------------------|
| English Composition ¹ | 3 | 3 | 3 |
| Mathematics ^{1,2} | 3 | 3 | 3 |
| Arts and Humanities ^{1,3} | 3 | 6 | 6 |
| Social and Behavioral Sciences ^{1,4} | 3 | 6 | 6 |
| Biological and Physical Sciences ^{1,5} | 3 | 6 | 6 |
| Interdisciplinary and Emerging Issues ⁶ | Optional | Optional | Optional |
| Additional Credits ⁷ | 5-21 | 0-12 | 8-22 |
| Total Required GE Credits | 20-36 | 30-36 | 40-46 |
| Max Additional GE for BA/BS | 20-26 | 10-16 | n/a |

BA: Bachelor of Arts

BS: Bachelor of Science

GE: general education

n/a: not applicable

¹ Minimum credit.

² At or above the level of college algebra.

³ One course from each of two disciplines, which may include speech, foreign language, or composition and literature courses.

⁴ One course from each of two disciplines.

⁵ Two courses, including one laboratory.

⁶ Not required, but will transfer as part of a general education program. These courses may be integrated into other general education courses or may be presented as separate courses. Examples include, but are not limited, to health, diversity, and computer literacy. Courses must provide academic content and rigor equivalent to other general education areas.

⁷ Additional credits may be assigned by each institution from English, mathematics, arts and humanities, social and behavioral sciences and biological and physical sciences to complete the number of credits required for the general education program.

Note: Since St. Mary's College of Maryland (SMCM) offers a curriculum based on four-credit courses, the total credits required for general education at SMCM is 48 credits. Remaining general education requirements for a bachelor's degree at SMCM after completion of an Associate of Applied Science Degree is 10 to 28 credits maximum and after completion of the Associate of Arts/Science Degree is 10 to 18 credits maximum.

Source: Code of Maryland Regulations; Maryland Higher Education Commission; Department of Legislative Services

State Revenues: Higher education revenues at public four-year institutions decrease, but the *net* effect over the long term is not anticipated to be significant as the total number of courses a transfer student takes is not expected to be materially affected. As explained in greater depth below, to the extent community college transfer students are able to take fewer general education courses at public four-year institutions (due to those courses transferring from community colleges), public four-year revenues decrease by an estimated \$315 per credit hour. However, this revenue loss is at least partially offset by higher level courses taken by students that remain enrolled and the need to take certain courses to fulfill requirements for majors and/or a degree to be granted by the institution.

This estimate assumes that a student must still complete all the requirements of a bachelor's degree at the receiving institution. A bachelor's degree consists of approximately 120 credits of three types of courses: general education; major requirements; and electives. The distribution of these courses varies from institution to institution and from major to major. Most majors require particular 100-level and 200-level courses (or a selection of specified 100-level and 200-level courses) in the area of study, and often in supporting areas, for graduation. Such "gateway" courses are required to build a student's foundational knowledge that will be used in the 300-level and 400-level courses in the major. Certain majors and institutions may also require students to complete a specific number of credit hours at the degree-granting institution.

For example:

- To remain at 120 credits for a bachelor's degree, some majors require specific gateway courses be taken to meet both general education and major requirements. A biology major may be required to complete specific 100-level and 200-level biology courses such as principles of biology and cell biology as well as specific math and chemistry courses.
- Some institutions have general education requirements that, in general, must be taken at that institution, even if the student has taken the general education course at another institution. The University of Maryland, College Park Campus (UMCP) requires students to complete two (3-credit hour) distributive studies courses that are approved in the I-Series category.
- Technical majors tend to have more specific major requirements and may even limit students to specific technical electives.
- The general biology degree at UMCP [requires](#) 15 to 16 credit hours of specific basic biology courses at the 100-level and 200-level; 32 credit hours of specific supporting courses at the 100-level and 200-level; 27 credit hours of general education courses in a specific distribution; and 27 credit hours of biology at the 300-level and 400-level, including two laboratory courses.

This estimate assumes that general education credits that transfer, but do not meet a student's major graduation requirements, may fulfill elective requirements. They may also be used to calculate class standing for registration and housing preference purposes.

Thus, while general education courses transfer under the bill, the total number of credit hours that a community college transfer student needs to complete at the public four-year institution may not be significantly impacted due to the student still needing to complete all the graduation requirements of the four-year institution, including those for their major. To the extent the transferred courses also meet graduation requirements, transfer students need to take fewer courses at the public four-year institutions, and higher education revenues decrease by an estimated \$315 per credit hour. This estimate is based on the simple average full-time in-state tuition and fees for public four-year institutions in fall 2021 being approximately \$9,500 for the academic year and an assumption of 30 credit hours per year.

Data on the number of general education credit hours from community colleges that do not currently transfer to public four-year institutions is not readily available, let alone the extent to which those courses would meet graduation requirements. Therefore, the magnitude of the fiscal impact cannot be reliably estimated. Even so, based on information not specific to Maryland, community college students lose an average of 15 credit hours (or five 3-credit hour courses) when they transfer to a four-year institution. In fall 2019, 9,672 students transferred from a Maryland community college to a public four-year institution. *For illustrative purposes only*, if nine of the credit hours that transfer were to also qualify toward graduation, revenues would decrease by an estimated \$2,835 per transfer student, which equates to \$27.4 million annually. As transfer students whose credit hours transfer are more likely to be motivated to remain enrolled in the public four-year institution longer, any initial revenue loss may be at least partially offset over the longer term.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): University System of Maryland; Morgan State University; Department of Legislative Services

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