SENATE BILL 540

By: Senators Elfreth, Hester, Hershey, Ready, and Reilly
Introduced and read first time: January 28, 2022
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 2, 2022

CHAPTER ______

AN ACT concerning

Higher Education – Transfer Platform – Established
(Transfer With Success Act 2.0)

FOR the purpose of requiring each community college and certain 4-year institution institutions of higher education that receive State funds to participate in a transfer platform that the Maryland Higher Education Commission establishes to facilitate the transfer of students from community colleges to 4-year institutions of higher education; adding a certain requirement to certain transfer procedures established by the Commission; altering a certain report that must be submitted by public institutions of higher education; and generally relating to the transfer of credits from community colleges to 4-year institutions of higher education.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–207
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Education

11–207.

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.
SENATE BILL 540

(a) The Commission shall:

(1) Establish procedures for transfer of students between the public segments of postsecondary education;

(2) Recommend cooperative programs among segments of postsecondary education to assure appropriate flexibility in the higher education system; and

(3) In conjunction with the governing boards, establish standards for articulation agreements.

(b) (1) The procedures established under subsection (a) of this section shall require:

   (I) A RECEIVING INSTITUTION TO APPROVE THE TRANSFER OF A CREDIT OR COURSE FROM A SENDING INSTITUTION IF AT LEAST 70% OF THE LEARNING OUTCOMES OF THE CREDIT OR COURSE ARE EQUIVALENT;

   (II) 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 the Commission determines to be the latest possible time for the notification and specify the rationale for the denial;

   (III) The transfer coordinator or institutional designee of the sending institution, after receiving notice of a denial of the transfer of a credit or course, in conjunction with the receiving institution’s designee, to conduct a review within a time period the Commission determines to be appropriate; and

   (IV) Each public institution of higher education to submit an annual report to the Commission listing any denials of the transfer of a credit or course and the reasons for the denials.

(2) IF A PUBLIC INSTITUTION OF HIGHER EDUCATION DOES NOT HONOR THE INFORMATION IN THE TRANSFER PLATFORM ESTABLISHED UNDER SUBSECTION (G) OF THIS SECTION, THE INSTITUTION SHALL REPORT THE FAILURE TO HONOR INFORMATION IN THE PLATFORM AS A DENIAL OF TRANSFER CREDIT ON THE ANNUAL REPORT SUBMITTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH PARAGRAPH (1)(IV) OF THIS SUBSECTION.

(c) The Commission, in collaboration with the public institutions of higher education, shall develop and implement 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 shall be transferable to any public senior higher education institution in the State for credit toward a bachelor’s degree by July 1, 2016.
(d) The Commission, in collaboration with the public institutions of higher education, shall develop and implement a statewide reverse transfer agreement whereby at least 30 credits that a student earns at any public senior higher education 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 by July 1, 2016.

(e) The Commission and each public institution of higher education shall develop and implement incentives for students to obtain an associate’s degree before enrolling in a public senior institution of higher education.

(f) The Commission may recommend procedures and guidelines for consideration by the governing boards of institutions of postsecondary education on:

1. Improvement and coordination of student financial assistance programs; and
2. Other subjects of general interest and concern to the higher education community in the State.

(6) (1) (i) Each community college and public 4-year institution of higher education that receives State funds shall participate in the transfer platform established in accordance with this subsection.

(ii) A nonpublic institution of higher education that receives State funds:

1. Shall participate in the transfer platform established under this subsection if the nonpublic institution has a total of at least 50 students who transfer to the nonpublic institution from a community college in the State; or

2. May participate in the transfer platform regardless of the number of students who transfer to the nonpublic institution from a community college in the State.

(ii) The Commission shall establish a transfer platform to facilitate the transfer of students from community colleges to 4-year institutions of higher education in the State.

(iii) If subject to subparagraph (iii) of this paragraph, if the University System of Maryland has a similar transfer platform, the Commission shall delegate the design or establishment of the platform to the University System of Maryland.
(III) If the design and establishment of the transfer platform is delegated to the University System of Maryland:

1. The University System of Maryland shall adhere to the requirements for the transfer platform under this paragraph; and

2. The Commission shall retain:

A. Enforcement control of the transfer platform; and

B. Access to all data in the transfer platform.

(3) The transfer platform shall:

(I) Allow students and advisors to determine if a course will transfer from any community college to any 4-year institution of higher education that participates in the transfer platform;

(II) Provide recommended courses to students for specific programs of study at 4-year institutions of higher education; and

(III) Include a transcript option options for students that:

1. Determines the status of courses;

2. Compares courses with recommended transfer programs; and

3. Computes grade point averages.

2. Allows students to establish accounts;

3. Allows access to saved searches for transfer programs and courses;

4. Provides transfer programs for near-completers;
5. PROVIDES REVERSE TRANSFER ACCOUNTABILITY FOR STUDENTS;

6. PROVIDES ADMISSIONS REQUIREMENTS FOR INSTITUTIONS TO WHICH STUDENTS SEEK TO TRANSFER; AND

7. ALLOWS ACCESS THROUGH MOBILE DEVICES.

4. Each 4-year institution of higher education shall:

   (I) Honor all information in the transfer platform, including transfer information, unless an academic program no longer exists;

   (II) Update all course information in the transfer platform within 60 days of receipt of a course evaluation request;

   (III) Complete all transfer evaluations submitted through the transfer platform before registering a student for a course; and

   (IV) Remove any credits, courses, or inaccurate information in the transfer platform before each academic year and not more than 60 days after the addition or termination of an academic program.

5. Each receiving institution shall review all course evaluations submitted in the transfer platform by a sending institution and provide decisions to the sending institution in the transfer platform.

6. (I) For fiscal year 2024 and each fiscal year thereafter, the Governor shall include in the annual budget bill an appropriation of $1,000,000 to support the operation of the transfer platform.

   (II) The Commission may not charge community colleges or 4-year institutions of higher education a fee to participate in the transfer platform.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.