

SB 1 UMES

Uploaded by: Anderson, Heidi M.

Position: FAV



UNIVERSITY *of* MARYLAND EASTERN SHORE

January 20, 2021
Testimony on Senate Bill 1
Dr. Heidi M. Anderson, President, UMES

Chair Guzzone, Vice Chair Rosapepe, and Members of the Senate Budget and Taxation Committee -

As the 16th President of the University of Maryland Eastern Shore (UMES), on behalf of our UMES students, faculty, staff and 18,000 alumni, I thank you for the opportunity to appear before you today and respectfully ask for your support to pass Speaker Sydnor's bill, SB 1, Historically Black Colleges and Universities (HBCU)-Funding.

I also wish to take a moment on behalf of the UMES family, to extend our heartfelt appreciation to Madam Speaker Adrienne Jones for cross-filing this bill in the House.

On the bill, – We are extremely grateful that this bill is reintroduced for the 2021 legislative session.

The action of a favorable vote of these committee members would bring much overdue remedy to years of inadequate funding, capital improvements, renovations, and new program development thus providing opportunities and a brighter future to our HBCU students now!

I cannot tell you how much it means to me personally and would mean for our institution.

Briefly, SB 1, **will** positively impact the lives of our students at the University of Maryland Eastern Shore, and fundamentally change the university in meaningful ways for years to come.

This legislation, when approved, will strengthen four areas: (1) scholarship enhancements (2) academic program enhancements, (3) marketing and recruiting enhancements, and (4) capital improvements.

I'll describe these areas, briefly:

First, our students desperately need scholarship dollars to help them afford their educational journey. My first three priorities when I arrived at UMES, were – and still are – scholarships, scholarships and scholarships! As a first-generation college student myself, I know, personally, that not having scholarship money can quickly END an academic career.

Second, significant academic enhancements **will** be made to our array of programs so that UMES can become more competitive. We are the **only 1890**-Land Grant Doctoral Research institution in the State. We have strong programs in agriculture and health care and STEM areas. We have a working farm on our campus where researchers are investigating all manners of animal health in feeding and growing. UMES desires to establish a Veterinary Science School, which will help combat the national shortage of veterinarians, especially in rural areas.

This new school will allow UMES to position itself as the sole veterinary school within the state and provide the much-needed collaborative relationships with the agricultural industry on the Shore. We are perfectly positioned to launch Maryland's first Veterinary School, which would be a game changer for UMES and for the state of Maryland.

In addition, it will strengthen existing academic programs ensuring that we have the labs and state-of-the-art facilities, proper management and maintenance of those facilities, and qualified faculty/staff within the departments.

Third, enhanced efforts in the areas of marketing and recruiting. The growing list of for-profit institutions that spend millions of dollars on marketing and branding have virtually taken over the narrative of what a college should be. UMES has never had a fully funded marketing program to shape our brand and tell our story. Without that, we are often not even on the short-list for many students, because if you do not know about UMES, how can you possibly consider us? Of course, the COVID pandemic has exacerbated the situation even further since we cannot bring students to campus to introduce them to the many wonderful opportunities we have to offer. These funds could make UMES competitive in a space we have never been able to occupy before.

Fourth, our campus has endured years of deferred maintenance in order to make ends-meet. When I arrived, the library was closed because of a roof deterioration and a storm. Our campus experiences floods almost multiple times a year leaving damage in its wake. We have several dormitories not in use because they are gravely in need of repairs.

To underscore the legacy of UMES and HBCUs, we are proud of our Frederick Douglass Library, Ella Fitzgerald Performing Arts Center, and other African American leaders whose namesakes title our buildings. Funding from this bill will allow us to renovate these aging buildings, that have deteriorated into dire conditions. These much-needed funds will allow UMES to modernize its aging infrastructure.

I encourage my team to be fiscally responsible. In our current state of reduced enrollment at UMES, we are committed daily to efficiency, and managing our financial affairs while adopting best practices to increase enrollment. The good news, resulting from UMES's team efforts across campus, provides a bright outlook for Fall 2021. And we **need** to be ready. Our facilities **need** to be competitive; we **need** to pursue telling our story, voice our vision and offer scholarships to promising students to help close the economic gap for them.

HBCUs are vitally important institutions.

Finally, HBCUs are vitally important institutions. While, HBCUs represent only 3% of colleges and universities in the U.S., we enroll 12% of all African American students. HBCUs produce 23% of all African American graduates, confer 40% of STEM degrees and 60% of all engineering degrees for African American students. According to the same data source, HBCUs educate 50% of African American teachers and 40% of African America health professionals. Seventy percent of African American dentists and physicians earned degrees at HBCUs. (Historically Black Colleges and Universities October 2015 data.)

HBCUs disproportionally enroll low-income, first-generation and academically underprepared college students. **These** are the students who are the most at-risk for economic hardships, but also, with the achievement of a bachelor's degree are the most upwardly mobile, becoming productive contributors to society. More than 75% of HBCU students rely on Pell Grants. (Thurgood Marshall College Fund.)

According to the Thurgood Marshall College Fund (TMCf), HBCUs have 1/8 of the average size of endowments than predominately white institutions (PWIs), however they continue to provide an affordable education to millions of students of color graduating the majority of America's African American teachers, judges, engineers, and other STEM professionals.

Please, help us educate the next generation of Marylanders to be ready for our collective bright and promising future, with the passage of SB1.

In closing, I respectfully request your "favorable vote" for SB1 HBCU Funding bill.

Thank you!

Dr. Heidi M. Anderson
President UMES

SB 1 - Historically Black Colleges and Universitie

Uploaded by: Antoine, Joanne

Position: FAV



January 21, 2021

**Testimony on SB 1
Historically Black Colleges and Universities – Funding
Budget and Taxation**

Position: Favorable

Common Cause Maryland supports SB 1 which would require the Governor to include in the annual State operating budget \$57,700,000 to be allocated to certain historically black colleges and universities; establishing the Historically Black Colleges and Universities (HBCU) Reserve Fund.

We believe Maryland should be doing all that it can to give students the tools to become the next generation of leaders in our state and nation. This includes providing students with equal access to higher education at excellent and affordable colleges and universities, including Maryland's HBCUs: Bowie State University (BSU), Coppin State University (CSU), Morgan State University (MSU), and the University of Maryland Eastern Shore (UMES).

To support these efforts, we ourselves made a decision to invest in our state HBCUs, launching the HBCU Student Action Alliance which now has five student Fellows from three of our state HBCUs with a goal of expanding to all four campuses. Our student leaders focus on helping to boost civic engagement and promoting the value of becoming lifelong participants in democracy on their campus and in surrounding communities. This program is modeled after our North Carolina office where they have been working with HBCU students for over a decade. Our Fellows, in 2020, decided to prioritize supporting efforts to ensure their campus receives the funding it deserves.

Quote from one of our HBCU Democracy Fellows Autumn Wardlaw (Coppin State Univ.),

“HBCU’s were founded out of a commitment to service, community, and opportunity for African Americans. Without adequate and fair funding, they are unable to continue to live out their mission and goal. The lack of funding has caused HBCU’s to decrease the services they provide to students that help us to serve our community and be engaged community members.”

As an organization that is working to strengthen our democracy, securing adequate funding for our state HBCU’s is important to us because it helps ensure we are investing in students like Autumn. Students who are civically engaged on their campus and community, who are interested in policy issues, and who want to encourage those around them to make their voices heard.

Historically Black colleges and universities throughout the state should be adequately funded as this is an investment our future leaders, ensuring that their campuses can afford to maintain an environment that will allow students to hone their civic obligations and political awareness.

We urge a favorable report.

SB0001 MD NARAL SUPPORT.pdf

Uploaded by: Blalock, Isabel

Position: FAV



SB0001 Historically Black Colleges and Universities - Funding

Presented to the Honorable Guy Guzzone and Members of the Budget & Taxation Committee
January 20, 2021 1:00 p.m.

POSITION: SUPPORT

NARAL Pro-Choice Maryland urges the Appropriations Committee to issue **a favorable report on HB0001 Historically Black Colleges and Universities – Funding**, sponsored by Senator Sydnor.

Our organization is an advocate for reproductive health, rights, and justice. The ability to access quality, affordable higher education is directly and indirectly connected to reproductive freedom in many ways. Data from the Bureau of Labor Statistics found that college graduates have a median weekly income that is 40% higher than those with just a high school diploma.¹ Economic security allows individuals to determine if, when, and how they plan—and support—their families. Of course, this doesn't consider the debt that so many individuals have to take on in order to go to college, which is why we are grateful that some of the funding outlined in HB0001 could be dedicated towards financial aid.

Data from the National Postsecondary Student Aid Study found that [22% of all undergraduate students are parents](#), and Black women are more likely than women from other backgrounds to be raising children while in college.² We are hopeful that some of the funding dedicated towards “academic support,” as stated in the bill language, would entail support services for pregnant, expectant, and parenting students, faculty, and staff, including on-site child care centers. Coppin State University, for example, [had to close its child development center](#) due to significant structural repairs, which likely disrupted the daily life of many Coppin student-parents, perhaps significantly and permanently changing their education plans. Re-opening this center—and opening childcare centers at the state's other HBCUs—would be a wise investment for HBCU administrators.

For too long, Maryland's HBCUs—and HBCUs across the country—have been underfunded due to the way systemic racism has impacted, and continues to impact, the socio-economic well-being and security of Black people in this county. We applaud this bill and its commitment to educational equity. For these reasons, NARAL Pro-Choice Maryland **urges a favorable committee report on SB0001**. Thank you for your time and consideration.

¹ Learn more, earn more: Education leads to higher wages, lower unemployment, Career Outlook, U.S. Bureau of Labor Statistics, May 2020.

² Institute for Women's Policy Research (IWPR). 2018. Institute for Women's Policy Research (IWPR) analysis of data from the U.S. Department of Education, National Center for Education Statistics, 2015–16 National Postsecondary Student Aid Study (NPSAS:16).

SB 1 Bowie State University

Uploaded by: Breaux, Aminta H.

Position: FAV



SENATE BUDGET AND TAXATION COMMITTEE

Senate Bill 0001

Historically Black Colleges and Universities – Funding

January 20, 2021

Favorable

Aminta H. Breaux, Ph.D., President

Chair Guzzone, Vice Chair Rosapepe and committee members, thank you for the opportunity to comment on Senate Bill 0001. As the President of Bowie State University -- Maryland's oldest historically black university -- I support Senate Bill 0001, which would resolve longstanding litigation over the issues of *de jure* segregation in Maryland's public higher education system. I applaud Senator Sydnor and members of the legislature for hearing our voices in a time when HBCUs require greater resources and support more than ever before, as the economic impact of the novel coronavirus (COVID-19) looms overhead our public institutions.

The ongoing pandemic has only strengthened our resolve to ensure Bowie State University and other HBCUs receive funding that is fair and equitable. By establishing the HBCU Reserve Fund, we can ensure our institutions can continue to improve their academic resources and educational experiences for students to graduate equipped with the ability to confront the many challenges our nation faces.

Our Strategic Plan, entitled *Racing to Excellence*, remains grounded in three main priorities: achieving academic excellence; promoting student success; and ensuring the long-term viability of Bowie State University. The university has been working hard to move this shared agenda and we have seen significant progress. At a time when institutions across the country - especially HBCUs - are seeing declining enrollment or worst - having to close their doors -- Bowie State University is growing. We continue to see increased demand to deliver education to more citizens in our community. We need the resources to meet that demand and ensure our communities remain strong.

As of January 5, we have seen a 75% increase in our first-time admitted students for our spring 2021 semester compared to last year, and the number of admitted students into our graduate school has increased 29%. Also, as of January 5, the number of admitted undergraduate students for fall 2021 has also increased 21% and applications saw over a 20% increase in December 2020. Our fall 2020 enrollment was 6,250 with students who hail from 32 states and 27 foreign countries.

Bowie State currently offers 23 undergraduate majors, 20 master's degrees, 2 doctoral degrees and 14 post-baccalaureate certificates. We continue to exceed MHEC's projections for degree production, and we are doing our part to produce workforce-ready graduates. MHEC also approved our request to offer

distance education programs to offer our students a greater degree of flexibility in pursuing their studies. More students are pursuing degrees in high-demand STEM fields at Bowie State than ever before.

Building on our strengths in cyber security, computing and technology; business and professional studies; as well as education, our faculty are working to enhance existing programs and develop new, innovative programs to meet Maryland's workforce needs. Therefore, we are in need of the necessary funding to develop and market these programs, recruit and retain outstanding faculty, and offer competitiveness scholarships/financial aid packages to attract and retain a diverse population of students.

Senate Bill 0001 would provide the funding we need in areas that are critical to Bowie State University's continued growth and competitiveness: new/expanded academic programs; scholarships/financial aid; academic support; faculty development; and marketing. This funding is important to our long-term viability and the economic prosperity of the region. The funds will also help Bowie State University diversify our enrollment by making us a campus of choice for more students seeking an affordable, high-quality education. Diversity is important to the educational experience for all of our students. Indeed, one of the five goals in our Strategic Plan is to enhance our campus culture of diversity and inclusion. Inclusivity is also one of our core values.

As one of the nation's top HBCUs according to *U.S. News & World Report*, and the ninth best HBCU in the nation according to *BestColleges.com*, Bowie State University is poised for even greater contributions to the state as one of the fastest growing institutions in Maryland. To continue this momentum, we require continued investment from our state legislature as our world continues to evolve in the midst of the coronavirus pandemic. The investment contemplated in Senate Bill 0001 would position Bowie State to fulfill its mission as a public institution for generations to come and to serve the public good.

On behalf of Bowie State University, our students, faculty, staff and alumni, I thank the members of the General Assembly for their support and I urge a favorable report for Senate Bill 0001.

HBCU copy.pdf

Uploaded by: Cantori, Renee

Position: FAV

I support SB001. Please override the HBCU funding veto. HBCUs have been historically underfunded and the funding needs to be restored so that it is on par with other schools in Maryland.

MSCNAACP Testimony in Support of SB1.pdf

Uploaded by: Dillahunt, Adrienne

Position: FAV



Testimony in Support of Senate Bill 1
Historically Black Colleges and Universities – Funding
House Appropriations Committee
January 21, 2021

The Maryland State Conference (MSC) of the National Association for the Advancement of Colored People (NAACP) strongly supports Senate Bill 1, Historically Black Colleges and Universities - Funding, requiring the state of Maryland remedy the disparity in academic programs and secure full and adequate funding for the state's HBCUs.

The NAACP works to ensure that all disadvantaged students and students of color are on the path to college or a successful career by ensuring access to great teaching, equitable resources, and a challenging curriculum. We are dedicated to eliminating the severe racial inequities that continue to plague our education system that impact the way in which all programmatic decisions are reviewed and challenged.

Our ultimate goal is that every student of color receives a quality public education that prepares young people to be contributing members of our democracy. To achieve these goals, the NAACP Maryland State Conference advocates a four-prong strategy to improve educational achievement for disadvantaged students:

- Increasing Resource Equity: Target funds to neediest kids
- Ensuring College & Career Readiness: A path to success after graduation for all students
- Improving Teaching: Growing our own great teachers now in underserved communities
- Improving Discipline: Eliminate zero tolerance; keep kids in school

It is for this reason that we urge the State of Maryland to implement high demand academic programs for Historically Black Colleges and Universities, provide Maryland HBCUs with additional funding, marketing, and scholarships, and to replace programs that were unconstitutionally duplicated for decades.

It is imperative that the State of Maryland begins to make it a priority to examine decisions for any policy, program, practice, or action with an equity lens and repair the historical financial disparities that have been a hindrance to the development of HBCUs.



Page 2. NAACP MSC

In the implementation of this legislation, the NAACP MSC joins the Maryland Historically Black College and Universities (HBCUs) Advocates in calling upon the General Assembly to:

- 1) Require the Maryland Higher Education Commission to establish certain new units to assist in evaluating and reviewing certain proposals for new programs and substantial modifications of existing programs;
- 2) Require the Governor, in each of fiscal years 2022 through 2031, to include in the annual State operating budget \$57,700,000 to be allocated to certain historically black colleges and universities;
- 3) Establish the Historically Black Colleges and Universities Reserve Fund; specifying the purpose and uses of the Fund; etc.

HBCUs have made invaluable contributions to education and equity in our state and play a critical role in the American higher education system. Equity should be a means of providing access, opportunities, and supports needed to help students reach their full potential by removing barriers to success. In the words of Dr. Martin Luther King, Jr. "The time is always right to do what is right."

It's time for Governor Hogan and lawmakers across Maryland to do the right thing and provide a full and adequate settlement for the state's HBCUs to remedy decades of injustice. For these reasons, The Maryland State Conference urges the committees to issue favorable reports for Senate Bill 1.

Adrienne Dillahunt, NAACP MSC
Education Co-Chair
District 29B

Laura Johnson, NAACP MSC
Education Co-Chair
PCDistrict 13

Willie Flowers, President
Rev. Kobi Little, 1st Vice President, and Political Action Chair

Legislative Testimony.pdf

Uploaded by: Elliott, Richard DeShay

Position: FAV

Legislative Testimony:
SB1

I support Senate Bill 1 because Maryland has been a national leader in underfinancing our Historically Black Colleges and Universities. This legislation will work to undo that, and promote the expansion and improvement of our HBCUs.

**RICHARD
ELLIOTT**
FOR MARYLAND

By Authority: Rich Elliott For Maryland Keanu Smith-Brown, Campaign Chair Christian Hillian, Treasurer

2021 HBCU testimony SURJ3A.pdf

Uploaded by: Girdner, Linnie

Position: FAV

Testimony of Dr. Linda Girdner on behalf of Showing Up for Racial Justice, Annapolis and Anne Arundel County Chapter, in support of SB0001.

The Annapolis and Anne Arundel County Chapter of Showing Up for Racial Justice supports the full funding of Historically Black Colleges and Universities in Maryland as outlined in SB1043. Anything short of that would be continuing the path of treating HBCUs as the stepchildren of Maryland's public college education and perceiving the students as second class citizens.

HBCU students are more likely to be the first in their families to attend college compared to students at other campuses. Why did their parents and grandparents not have that opportunity? Largely due to the wealth gap, which allowed many whites after WWII to go to college and to send their children to college --to move into the middle class. That is what happened in my family. My father grew up in poverty and knew the GI bill was the only way he could go to college. It was the only way he could have purchased a home for his growing family. My family and that of millions of white Americans were able to attain the American dream, accrue wealth, and pass it on to their children and grandchildren. The same opportunities were not available to African Americans, because of the racist policies of colleges and mortgage lenders. (Thurgood Marshall, then with the NAACP, filed suit to desegregate the University of Maryland.)

Considering this wealth gap, it is no surprise that students at HBCUs are more likely to need grants and scholarships to go to college and to complete their degree. They often attended schools that were under-resourced, because they lived in neighborhoods that did not have the tax base to support the costs of better schools. We can look to the racist policies, such as residential redlining and restrictive covenant further prevented black families from gaining financial ground and being able to move into neighborhoods with better resourced schools. Some who managed to move in such neighborhoods ended up being taken advantage of by predatory loan practices, i.e. reverse redlining, that sent them right back to square one after the recession.

Students at HBCUs already have faced hurdles to get this far. Scholarships are needed to help more African American people be able to attend and to assist students in being able to complete their education instead of dropping out due to finances. HBCUs deserve the resources to be able to have cutting edge programs that put their students at the forefront of future opportunities in the job market. So that they can move forward, contributing to communities and building the wealth that so many previous generations were denied. HBCUs also deserve to have their unique, high-demand academic programs protected, and unduplicated by other Maryland colleges and universities so

that the applicants and prospective students they attract are not drawn away from the HBCU campuses due to lack of resources, scholarships, or qualified faculty.

You did not cause all the racial inequities that are part and parcel of Maryland's history. But, as elected officials, you have the power, the privilege, and the responsibility to do something to rectify this piece of it. We urge you to support SB0001.

Linda K. Girdner, Ph.D.
Showing Up for Racial Justice,
Annapolis and Anne Arundel County Chapter

SB 1 Coppin State University

Uploaded by: Jenkins, Anthony L.

Position: FAV

Coppin State University
Testimony in Support of Senate Bill 0001
Historically Black Colleges and Universities - Funding
Budget & Taxation Committee
Chair: Senator Guy Guzzone
January 20, 2021

Good Morning, Mr. Chairman, and members of the committee:

On behalf of the students, faculty, and staff of Coppin State University, I would like to thank you for your diligent work in support of higher education, in general, and our historically black institutions of higher education, in particular. Your unwavering support in serving the educational needs and aspirations of the well-deserving residents of this great State is appreciated and needed, now, as never before. I share your commitment to this advocacy of higher education and, especially, to the advocacy of the equitable allocation of funding to HBCUs.

It is my sincere hope that Senate Bill 0001, the Historically Black Colleges and Universities – Funding bill, sponsored by Senator Charles E. Sydnor III, and a host of distinguished Senators, will become law. This monumental legislation would afford Coppin State University a unique opportunity to begin to remedy decades of previous, traceable, state-supported inequities in the unnecessary duplication of programs which harmed Historically Black Colleges and Universities in the State. As the legislation properly articulates, this “... has exacerbated the racial identifiability of Maryland’s Historically Black Colleges and Universities.”

Coppin State University serves students who come from historically underserved and underrepresented communities—a majority of them from low-income households. Research has shown that the task of lifting low-income students out of poverty through a college education has been left to HBCUs, like Coppin. Research also shows that the needs of these students places a significant strain on a university’s finances, retention, and graduation rates. There is no question that Coppin has been committed to fulfilling this need to aid in the advancement of our students; however, the State’s underfunding of the University has hindered the ability to be more competitive with other, more generously funded institutions of higher learning.

In restoring an equitable distribution of funding to all of our HBCUs, SB0001 would serve to bolster our educational reach by legislatively mandating more flexibility than the federal suit would judicially provide. SB0001 would enable Coppin State University to utilize the funds allocated for the following:

- (i) Scholarships and financial aid support services;
- (ii) Faculty recruitment and development;
- (iii) Expanding and improving existing academic programs, including online programs;
- (iv) Development and implementation of new academic programs, including online programs;
- (v) Academic support; and,
- (vi) Marketing.

The funding provided by the bill will enable our institution to expand programmatic activities and offerings. A significant by-product of this expansion of programmatic activities and offerings is increased workforce development, which I know is a pillar of interest to this legislative body. This bill could serve to sharpen our students' competitive edge in the workforce which would enhance the overall economic standing of the State of Maryland and the nation. Of equal importance, however, is that an equitable distribution and allocation of funding will provide enormous and consequential enhancements to our institutions' abilities to service their student populations and surrounding communities in a more impactful and multifaceted manner.

I appreciate the committee's invitation for the opportunity to convey what I believe to be the imperatives of passage and ultimate enactment of Senate Bill 0001.



Anthony L. Jenkins, Ph.D.
President
Coppin State University

SURJ Provide More Funding to HBCUs.pdf

Uploaded by: Kleinman, Jan

Position: FAV

Provide More Funding to HBCUs

Bill number and link: HB0001, SB0001

Position: SUPPORT

Dear Members of the Senate Budget and Taxation Committee,

I am a resident of Baltimore, MD that you represent and I am emailing in **support of Senate Bill 1** as part of Showing Up for Racial Justice Baltimore. This bill ensures Historically Black Colleges and Universities are properly funded and unnecessary duplication of programs does not occur in the MD school system. Basically, this bill will address some of the unfair biases against HBCUs that have been in place for a long time. This bill will bring Maryland one step closer to racial equity.

Historically Black Colleges and Universities have played a vital role in providing education to millions of people across the country, especially those who were historically excluded from traditional secondary education opportunities and for whom most models of secondary education were not designed.

In the opinion of the United States District Court of Maryland in THE COALITION FOR EQUITY AND EXCELLENCE IN MARYLAND HIGHER EDUCATION, ET AL. V. MARYLAND HIGHER EDUCATION COMMISSION, ET AL., 06-CV-02773-CCB, these institutions were victims of discrimination in funding and programs. It is ironic that HBCUs, which were established as an alternative means of education for people who were victims of discrimination, were themselves victims of discrimination.

This gives Maryland a moral imperative to ensure these institutions--Morgan State, Bowie State, Coppin University, and University of Maryland Eastern Shore--are provided reparations for the institutionally racist wrongs done to them. Moreover, the prospering of these universities and additional funding to them will only provide ten-fold their costs in the advancement of the disproportionately black, indigenous, and people of color student bodies that attend them. Maryland will gain from this wealth of human capital and talent, and in doing so advance the world on a path towards equity.

We have our legal mandate and moral imperative. Now all we need is our legislative courage to make this happen. I strongly encourage you to vote in **SUPPORT of Senate Bill 1**.

SB0001-B&T-FAV.pdf

Uploaded by: Mehu, Natasha

Position: FAV



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB 1

January 20, 2021

TO: Members of the Senate Budget and Tax Committee

FROM: Natasha Mehu, Director of Government Relations

RE: SENATE BILL 1 – Historically Black Colleges and Universities –
Funding

POSITION: SUPPORT

Chair Guzzone, Vice Chair Rosapepe, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 1.

SB 1 seeks to resolve the over a decade long lawsuit under the Coalition for Excellence and Equity in *Maryland Higher Education, et al., v. Maryland Higher Education Commission, et al* by providing the Historically Black Colleges and Universities of Maryland (HBCUs) with \$577 million over 10 years. The bill also creates a HBCU Reserve Fund to hold unused funds and establishes a new unit in the Maryland Higher Education Commission (MHEC) to review new academic programs.

Baltimore City is proud to be home to two of the state's four HBCUs -- Morgan State University and Coppin State University. The money would be used to help the HBCUs to develop unique academic programs and to hire quality faculty members so that they can compete and attract students of all races. Funds would also go to more scholarships and financial aid to help with enrollment and marketing efforts to promote the schools and erase the stigma that they are inferior or less academically challenging

The funding helps provide a path forward from the wrong of inequities that burdened the HBCUs in Baltimore City and around the State.

Accordingly, the BCA respectfully requests a **favorable** report on House Bill 1.

SB01 Testimony.pdf

Uploaded by: Schablein, Jared

Position: FAV

Historically Black Colleges and Universities - Funding

Bill Sponsor: Senator Sydnor

Committee: Budget and Taxation

Organization Submitting: Lower Shore Progressive Caucus

Person Submitting: Dr. Nicole Hollywood, LSPC

Position: FAVORABLE

I am submitting this testimony in favor of SB1 on behalf of the Lower Shore Progressive Caucus. The Caucus is a political and activist organization on the Eastern Shore, unaffiliated with any political party, committed to empowering working people by building a Progressive movement on the Lower Eastern Shore.

The Lower Shore Progressive Caucus recognizes the significance that HBCU's play in Maryland, and in our country. Founded during a time of hostility and forced segregation, for over 100 years Historically Black Colleges and Universities have been unique American institutions predicated on providing educational opportunities to students many of whom originate from historically underserved communities. While they account for only 3% of public and not-for-profit private institutions receiving federal student aid, they enroll 10% of African American college students nationwide, produce 17% of the bachelor's degrees earned by African Americans, 24% of the degrees earned by African Americans in science, technology, engineering and math, and are the top producers of African American Ph.Ds. Serving as critical access points to post-secondary education for many Black and first-generation students, the preponderance of research has found HBCUs to provide deeply supportive educational environments that are unparalleled elsewhere with Black graduates of HBCUs more likely than Black graduates of majority serving institutions to be thriving.

More than a decade ago, four Maryland HBCU's, including one on Maryland's Eastern Shore, joined together in a lawsuit to remedy longstanding racial disparities and funding inequities. U.S. District Judge Catherine Blake ruled that Maryland had maintained a dual and segregated education system and had grossly underfunded HBCUs for decades.

SB1 will send a strong message to the people of Maryland that the State values its Historically Black College's and Universities and is committed to ensuring their future by establishing a new unit to assist in evaluating proposals for new programs and substantial modifications of existing programs, creating an HBCU reserve fund, and dedicating \$577,000,000 in the State budget in fiscal years 2023 through 2032 towards the settlement.

The Lower Shore Progressive Caucus supports this bill and recommends a **FAVORABLE** report in committee.

SB 1 - Provide More Funding to HBCUs.pdf

Uploaded by: Smeton, Jonathan

Position: FAV

Dear Members of the Senate Budget and Taxation Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. I am a resident of MD District 43. I am testifying in **support of Senate Bill 1**. This bill ensures Historically Black Colleges and Universities are properly funded and that ensure unnecessary duplication of programs does not occur in the MD school system that unfairly biases against HBCUs.

Historically Black Colleges and Universities have played a vital role in providing education to millions of people across the country, especially those who were historically excluded from traditional secondary education opportunities and for whom most models of secondary education were not designed. It comes as no surprise that these institutions built to provide alternative means of education for those who are discriminate against, received their own institutional discrimination in funding and programs enacted in the University of Maryland school systems as stated by the opinion of the United States District Court of Maryland in THE COALITION FOR EQUITY AND EXCELLENCE IN MARYLAND HIGHER EDUCATION, ET AL. V. MARYLAND HIGHER EDUCATION COMMISSION, ET AL., 06-CV-02773-CCB.

This gives Maryland a moral imperative to ensure these institutions like Morgan State, Bowie State, Coppin University, and University of Maryland Eastern shore are provided reparations for the institutionally racist wrongs done to them. Moreover, the prospering of these universities and additional funding to them will only provide ten-fold their costs in the advancement of the disproportionately black, indigenous, and people of color student bodies that attend them and bring the world on a greater path towards equity.

We have our legal mandate and moral imperative. Now all we need is our legislative courage to make this happen. I strongly encourage you to vote in **SUPPORT of Senate Bill 1**.

Thank you for your time, service, and consideration.

Sincerely,
Jonathan Smeton
3140 Ellerslie Avenue
Showing Up for Racial Justice Baltimore

SURJ
BALTIMORE
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THE SENATE OF MARYLAND
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Senator Charles E. Sydnor III
Testimony Regarding SB0001
Historical Black Colleges and Universities - Funding
Before the Senate Budget and Taxation Committee
On January 20, 2021

Good afternoon Mr. Chairman, members of the Committee.

The purpose of Senate Bill 0001 is to right a long, historical wrong, to get on the right side of history, and to create the kinds of colleges and universities that all Marylanders can be proud of. It is an attempt to bring into existence the vision of lots of blue ribbon commissions that various Maryland Governors and Legislators have been calling for since the 1930's.

Starting in the 1930's, the era of de jure segregation, when "separate but equal" was the law of the land, Maryland prepared a series of official reports documenting the conditions of its Historically Black Institutions and comparing them to its Traditionally White Institutions. These reports chronicled a vast disparity between the two sets of institutions that Maryland repeatedly promised to remedy but failed to do so. Many of the early reports focused in the disparity in academic programs.

Federal Judge Catherine Blake cited to this history as well as more recent history when she found the State liable for a constitutional violation that she described as worse than Mississippi of decades ago. There is more than a 10-1 disparity in unique, high demand programs due to what the court called systematic unnecessary duplication of HBCU programs. Worse than Mississippi is bad. Fixing this 10: 1 disparity, according to Judge Blake, will require the State to fund a number of new academic programs at the HBCUs, and to supplement this funding with funding for scholarships, financial aid, marketing, and perhaps summer academies.

This unnecessary duplication, according to the court, was not consistent with best practices in higher education. The key word is unnecessary duplication. It hurt the HBCUs by hurting their

enrollment. It is a waste of State resources to have the exact same programs at the HBCUs as at the other schools. That is why it is called unnecessary duplication. This would be like having two federal agencies for every department -- one for the black community and one for other communities.

That was the whole illogic of separate but equal. The State was willing to have two sets of schools with duplicative programs to avoid having black students attend Traditionally White Schools. That was a waste of tax payer money. Now, we are being just as inefficient to keep the Historically Black Schools from having programs that can make them competitive, and make them able to attract more students, business partnerships, and research funding.

I want to talk about some of the history that the judge referred to. Let's begin in the 1930's, and I will end with a statement from the Court of Appeals in 2019, where the judges encouraged the legislature to get involved.

- **1937 Maryland Report of the Commission on Higher Education of Negroes discussed -- “Enormous differential in favor of the white race”**
 - “In the field of higher education, while the State has fostered white colleges for one hundred and fifty years it made its first grant to a Negro college in 1914 or twenty-two years ago. The contrast between the amounts of money received by the two racial groups would show, if possible of computation, an enormous differential in favor of the white race.”
- **1947 Maryland's Marbury Commission Report**
 - “The state has consistently pursued a policy of providing higher education facilities for Negroes which are inferior to those provided for whites.”
 - Marbury Commission Recommends “that the state budget provide such annual appropriations for the higher education of Negroes that the activities being conducted at those institutions may be maintained on a basis equal in quality to those maintained in comparable state institutions for white students.”
 - But Maryland ignores the report.
- **1950 Maryland Weglin Commission Report**
 - Describes "the continuous uphill struggle on the part of the Negro colleges to secure facilities on par with white institutions.”

- “None of these schools is equal in quality to the corresponding institution maintained for the white population.”
- **1954 Brown v Board of Education**
 - United States Supreme Court declares “separate but equal” illegal under the constitution.
 - Maryland largely ignores the decision.
- **1969 US Department of Education Office of Civil Rights Approaches Maryland for Failure to Follow Brown Decision**
 - The Department concludes that Maryland continues to operate segregated system of higher education.
 - Maryland fights with Office of Civil Rights for several years until OCR threatens to cut off federal funding over status of and policies with respect to HBCUs.
- **1974 Maryland Cox Commission**
 - The Commission describes “inequities and disadvantages” faced by HBCUs.
 - The Commission calls upon state to enhance HBCUs to the level of Traditionally White Institutions.
- **1981 Report on “Enhancement of Maryland's Predominately Black Collegiate Institutions”**
 - The Report describes “deplorable condition of science laboratories, pronounced need for equipment maintenance and replacement, and generally poor condition of the residential space.”
 - The Report also notes that “the libraries of the four historically black institutions are in need of new, expanded financial support and consistent funding.”
 - As for all HBCUs, the report notes that “the inadequacies in life and physical science laboratories stand out as the greatest current need. These facilities, designed and constructed primarily for teacher education, are simply not adequate or appropriate for proper instruction and research in modern techniques.”
- **1992 Maryland Draft Report Achieving Eminence: University of Maryland System Plan for Enhancement of the Historically Black Institutions”**
 - In developing enhancement plans, it became clear that the achievement of eminence for the historically Black institutions must address . . . “catch-up,” which includes

- funding of enrollment increases that over the years have had limited or no General Fund support, and areas of under-funding which include, for example, scholarships, student services, information technologies, libraries, and other institutional infrastructures.
- **2000 Maryland Enters Partnership Agreement with Office of Civil Rights To Make HBCUs Comparable and Competitive With TWIs**
 - Maryland commits to “[a]voiding unnecessary program duplication and expansion of mission and program uniqueness and institutional identity at the HBCUs”, and bringing HBCUs up to a level to be “comparable and competitive” with Traditionally White Institutions in all aspects of their operation. The Agreement is listed on the web site of the Maryland Higher Education Commission.
 - **2005 HBCU Presidents Write Letter to Maryland Black Caucus**
 - Asserting that Maryland has not complied with Agreement with Office of Civil Rights.
 - Asking for the appointment of independent panel of experts to study treatment of HBCUs, including funding, limited missions, and unnecessary program duplication.
 - **2006 Maryland Chancellor Brit Kirwan testified before Maryland Legislature**
 - Admits that Maryland has “not done right over time by Historically Black Institutions and they deserve special scrutiny and attention in terms of adequacy of funding.”
 - **2006 Governor Ehrlich Vetoes Legislation Calling For Judicial Review Of Unnecessary Program Duplication-- A Bill Aimed At Helping HBCUs**
 - SB 998, sponsored by Senator Conway, among others, would have made certain program duplication decisions “subject to judicial review in the Circuit Court...” Governor Ehrlich vetoed the legislation on policy grounds.
 - **2006 Attorney General’s Office Warns the State that it is “vulnerable legally” because of its treatment of HBCUs.**
 - 2006 HBCU students, alumni, and the Coalition for Equity and Excellence in Higher Education filed suit.
 - **2008 Maryland Bohanan Commission Studies Higher Education**
 - Independent experts conclude that Maryland policies “marginalized” the HBCUs.
 - Calls upon Maryland to “restructure the process that has caused the inequities and lack of competitiveness “between the HBCUs and TWIs.”
 - **2009 Maryland State Plan for Higher Education**

- Maryland officially adopted the conclusions of the Bohanan Commission experts and stated that the State was “committed to” closing the gap between the HBCUs and TWIs, including academic programs, teacher salaries, facilities, IT infrastructure.
- **2009 Maryland State Senators Jones and Conway Introduce Blount-Rawlings-Britt HBI Comparability Program**
 - The Blount-Rawlings-Britt HBI Comparability Program, SB 544, was proposed to “provide supplemental funding to the state’s HBIs for the purpose of ensuring that the HBIs are comparable and competitive with other state 4-year public institutions of higher education in all facets of their operations and programs as measured by generally recognized indicators of disparity.” This bill was reintroduced in subsequent sessions. The General Assembly took no action on the bill.
- **2012 Maryland Officials Make Important Admissions at Trial**
 - Geoffrey Newman, Maryland Higher Education Commission Director of Finance Policy said “[S]ubstantial additional resources must be invested in the HBIs to overcome the competitive disadvantages caused by prior discriminatory treatment.”
 - Dr. James Lyons, Former Maryland Secretary of Higher Education said HBCU facilities are “vestiges” of the de jure era.
 - (Dr. George Reid, Former Maryland Higher Education Commission Assistant Secretary for Planning and Academic Affairs) said: “[S]ubstantial additional resources are needed to ensure the state’s HBIs are comparable to the state’s TWIs on the point of recruitment, retention and graduation.”
- **2013 Federal Judge Catherine C. Blake rules Against Maryland Coalition on Liability**
 - Judge Blake said program disparity was worse than Mississippi of the decades ago.
 - The court saw a systematic attempt to undermine the HBCUs enrollment.
 - “During the 1960’s and 1970’s, in the wake of Brown, Maryland’s HBIs began offering unique, high-demand programs and began attracting significant numbers of white graduates. Rather than building on that progress, however, Maryland made very large investments in TWIs, particularly newly created Towson and UMBC that hurt preliminary gains in desegregation. These investments included further duplication of programs at already existing TWIs and creating new public institutions in geographic proximity to existing HBIs, including UB, Towson, and

UMBC. (In the 1980's, white enrollment began to decline very markedly," and that trend continues today. The early gains that had been made in integration at Maryland's HBIs halted almost as soon as they began, and the State has continued to duplicate HBI programs at TWIs, failing to address the dual system it created in the de jure era.")

- Maryland violated the 2000 Agreement with the Office of Civil Rights To Provide and Pay for Unique, High Demand Programs at the HBCUs.
- Judge Blake blamed State for disparity in growth of graduate programs between HBIs and TWIs.
- The court ruled that the remedy must include "expansions of mission and program uniqueness and institutional identify at HBIs" "each HBI should develop programmatic niches of areas of excellence in at least two high demand clusters as a starting point." Sent parties to mediation to develop a remedial plan.
- **2016 Judge Blake Rejected the State's Remedial Plan as "inadequate".**
- **2017 Judge Blake Criticized Maryland as "not serious" about solving the problem.**
 - Judge Blake issued a Remedial Order what would Provide Federal Oversight of Maryland Higher Education for 10 years. Ordered Maryland to pay for academic programs, scholarships, financial aid, and marketing at the HBCUs. She rejected State's argument that the Remedy was too expensive, and ordered each of the 4 HBCUs to provide a plan of academic programs, scholarships, marketing, and financial aid. The State put the cost at between \$1-2 billion dollars.
- **2019 Maryland Appeals Judge Blake's Ruling**

- *4th Circuit Urges Legislators to Appropriate Funds to Settle the Case*

This is what the 4th Circuit said in January of 2019: "The Court is of the firm conviction that this case can and should be settled. Otherwise, the parties will likely condemn themselves to endless years of acrimonious, divisive and expensive litigation that will only work to the detriment of higher education in Maryland."

Judge Wilkinson, a conservative judge appointed by President Reagan, said during the hearing:

"Isn't the answer here to make sure that the HBIs are adequately funded?"

“Why doesn’t the answer lie in appropriations? Why didn’t this case settle in appropriation?”

▪ **We Are in the Wrong: It is Time to Make It Right**

The issues in the Coalition lawsuit have been a priority for the Legislative Black Caucus for a long time, and it has been studied by a lot of commissions. A conservative federal judge has now found the State guilty and a conservative appeals court has said that the legislature should get involved and pay to bring the case to an end. If Mississippi could do it for \$791 million for 3 schools, surely we can pay \$577 million for 4 schools. That is better than the \$1-2 billion remedy that the court ordered. In fact, the State of Maryland has already spent millions of dollars on a large private law firms, in addition to the thousands of hours from attorneys on the Attorney General’s office, but we lost at trial in 2013.

The judge gave the State a chance to come up with a remedy. But it did not. Here is what the court said: “unfortunately the State did not engage in a serious effort to propose a remedy.” That is what the Judge said in 2017, that Maryland was not serious.

Not A Partisan Issue

The courts don’t care if a Republican Governor offers more than his predecessor, a Democratic governor, they care about whether the offer is enough to fix the problems. I find it kind of interesting that former Lt. Governor Michael Steele said after Judge Blake found the State liable in 2013. He wrote in the Afro Newspaper: “I was heartened by District Court Judge Catherine C. Blake’s October 7th ruling”. He wrote: “I was stunned to have certain academic and legislative “leaders” ask me directly why our administration would want to invest dollars in “those schools”. They argued that we should put such program dollars in the predominantly white schools and allow the students from the HBCUs to visit those campuses to take a course or to use laboratories. Understand that this occurred not in 1955 but in 2005.”

So we should not look at this as a partisan issue, of how a Republican Governor compares to a Democrat Governor. This is enough blame to go around. If Governor Ehrlich had not vetoed the bill in 2006, we would not be here. If the legislature had passed Blount-Rawlings-Britt HBI Comparability Program, we would not be here. If we had lived up to our Agreement with the office of Civil Rights in 2000, or our commitment in the 2009 State Plan for Higher Education, we would not have a federal judgment hanging over our head.

5 Key Things This Bill Will Accomplish

- Avoid having to pay \$1-2 Billion dollars
 - Avoid federal oversight for next 10 years
 - Settle case for less than the \$791 million that Mississippi paid for 3 schools
 - Remove the stain of the judgment for a Constitutional Violation
 - Help to create better schools that are open to all Maryland Citizens. Judge Blake said that her order was intended to “strengthen and enhance Maryland’s HBIs for the benefit of all Maryland students, present and future.” That is what we have to keep in mind as well.
- **Why We Can’t Wait: And Why Other Legislators Have Stepped in to Solve Similar Problems**

I know that some have suggested that the legislature should not be involved but should just let the litigation play itself out, and that the Legislature to get involved. It reminds me of the sentiment when Dr. King wrote to some fellow clergy in his Letter from the Birmingham Jail: He wrote:

“While confined here in the Birmingham city jail, I came across your recent statement calling my present activities "unwise and untimely". For years now I have heard the word "Wait!" It rings in the ear of every Negro with piercing familiarity. This "Wait" has almost always meant "Never." We must come to see, with one of our distinguished jurists, that "justice too long delayed is justice denied."

This case has been going on over 10 years, but as Judge Blake noted the issues affecting the black schools go back 100 years, and cover lots of commissions appointed by Governors and legislators. Colleagues, we can no longer wait. Our acting in this fashion is not without precedent. Legislatures in other states have gotten involved to settle litigation that affected constitutional

rights of their citizens as this case does. This includes New Mexico in 2019,¹ Texas in 2013 and 1982², the state of Washington in 2012³ and Missouri in 1998⁴

We have also acted to provide appropriations to settle a case involving school funding. The K-12 school adequacy litigation, *Bradford v. Maryland*, that case was first resolved in 1996 as a result of the Assembly's commitment to put more money into Baltimore City schools. In 2000, when the plaintiffs sought to enforce the Consent Order, we responded by adopting the recommendations of the Thornton Commission in 2001 and promised to put \$1.1 billion into education. Even today, after the case was reopened again in 2019, the Assembly is considering the recommendations of the Kirwan Commission, which include putting \$4 billion in state funding.

Summary

This bill would be good for the HBCUs and good for the State by removing a cloud and the possibility of a 1-2 billion judgement and 10 years of federal oversight. Just imagine how that would look, and how much Trump would tweet about it at the same time our Attorney General is suing him on a variety of issues.

In conclusion, this doesn't have to be business as usual in the Free State. We do not need legal intervention to do what we all know is right, we all know is decent, and what we all know is necessary to keep Maryland as a national standard-bearer for civic sustainability. The previous

¹ In 2019, New Mexico Governor Michelle Lujan signed several bills aimed at resolving the deficiencies found by a state district court in the educational opportunity case, *Martinez v. New Mexico*, No. D-1-1-CV-2014-00793 (NM Dist. Santa Fe Cty.).

² In 2013, following a state district court's ruling holding the Texas school finance system unconstitutional but prior to an appeal in *Texas Taxpayer & Student Fairness Coalition v. Williams*, the legislature passed school finance and accountability legislation. The actions led the court to reopening the case. No. D-1-GN-11-003130, 2013 WL 3199634, at *1 (Tex. Dist. Travis Cty. June 19, 2013). In 1982, in an appeal by Texas of a court order directing the state to revamp its education system for English Learners to comply with the Equal Educational Opportunities Act, the Fifth Circuit held the order moot after noting that—during the litigation—the Texas Legislature enacted the 1981 Bilingual and Special Language Programs Act. *United States v. State of Tex.*, 680 F.2d 356, 372 (5th Cir. 1982).

³ In 2012, following a trial court victory for the plaintiffs and while the appeal was pending before the Washington Supreme Court in *McCleary v. State*, the legislature passed an appropriations bill attempting to resolve the litigation. 173 Wash. 2d 477, 540 (Wash. 2012).

⁴ In 1998, the Eighth Circuit dismissed an appeal in light of a Missouri constitutional amendment passing that authorized additional tax levy and other legislation authorizing additional funding pending settlement of the desegregation case, *Missouri v. Jenkins*, 158 F.3d 984 (8th Cir. 1998).

commentary from judges, in this case, have classified Maryland, at least in the context of support for a more diverse system of higher education, as a worse offender than the State of Mississippi in the height of its Jim Crow years. This simply cannot stand, and it is too simple to resolve.

Language in this bill reflects appropriate advocacy on behalf of the HBIs but also acknowledges the continuing value of the state's higher education commission. Its details clearly point out the roles and responsibilities of the commission and the four HBCUs in working in one accord to right the wrongs of the past while deliberately delivering a new future of program autonomy and industrial necessity.

There is a bright future for a state of Maryland that embraces stronger institutions of higher education. There is no lost cause in more universities inspiring and equipping minds to solve the most intractable problems of our day while keeping their talent and resources here in our state upon graduation. We do not have to lose talented minds and skills to neighboring states who want an experience like the ones offered here, but made to be more attractive in states like North Carolina and Delaware, which have worked to make their historically black schools more comprehensive and attractive in recent years.

I implore my colleagues to consider the advancement of this legislation and all of the promise it can deliver for generations to come. Please vote favorably for Senate Bill 0001.

SB 1 Morgan State University

Uploaded by: Wilson, David K.

Position: FAV



Morgan State University Testimony

in support of

Senate Bill 1/House Bill 1

Submitted by Dr. David Wilson, President of Morgan State University

Historically Black Colleges and Universities – Funding

Morgan State University supports the passage of Senate Bill 1/House Bill 1 requiring, among a number of other provisions, that the Governor of the State of Maryland, in certain fiscal years, include in the annual State operating budget certain funds for certain historically black colleges and universities in the State; establishing the Historically Black Colleges and Universities Reserve Fund as a special, non-lapsing fund; and requiring the Maryland Higher Education Commission (Commission) to administer the Fund.

In this testimony, I wish to highlight the salient points, which would bring to an end the 16 yearlong lawsuit in the state of Maryland. Morgan State University is an institution on the rise with a great deal of momentum. Our student population has increased by eight percent since 2009, to nearly 8,000 students. In 2016, the Maryland State Legislature designated Morgan as its “preeminent public urban research university.” In that same year, the National Trust for Historic Preservation listed Morgan as a national treasure, the only campus in higher education in the United States to be so named. Finally, in 2018, the Carnegie Classification of Institutions of Higher Education elevated Morgan’s research mission from R3 (moderate research) to R2 (high research activity). With this elevation of Morgan’s research mission, only one public university in Maryland, the University of Maryland College Park, has a higher research classification.

Should a settlement materialize, Morgan will use those investments to further position the University toward achieving R1 status -- focusing on the intractable challenges facing urban areas like Baltimore City. This would position us as the lone public research university in the state with this mission. We will put in place unique high demand programs that are in alignment with the work of the future, and provide much needed financial support to our students. We will also enhance Morgan’s branding and marketing efforts so that students all over this state, regardless of race or ethnicity, would come to understand the jewel the state has in Morgan State University.

Historical Context for Morgan’s Support of Senate Bill 1/House Bill 1

The underfunding of Morgan State University, and the State’s other Historically Black Colleges, goes back eighty (80) years or more. As early as 1937, Baltimore native and federal judge, Morris A. Soper, headed a commission examining higher education in Maryland. Among the findings made by Judge Soper’s Commission was the observation that: “It is thus clear that the white population in Maryland has had the advantage of generous state support for its higher education many years in advance of the Negro population. The contrast between the amounts of money

received by the two racial groups would show, if possible of computation, an enormous differential in favor of the white race.”

Almost a decade later, in 1945, the Maryland Legislature created the Marbury Commission to conduct a comprehensive review of higher education in Maryland. The Marbury Commission noted that none of the State’s four historically black institutions (HBIs) were equal in quality to the corresponding institution maintained for the white population and that while Maryland maintained extensive facilities for the graduate and professional education of white persons, there was no provision for the equivalent training of Blacks in the state.

In the 2000 Partnership Agreement between the State of Maryland and the U.S. Department of Education Office of Civil Rights (OCR), the State promised, among other commitments, to provide funding to enhance Maryland’s historically black colleges and universities (HBCUs). Specifically, the State committed to provide: 1. enhanced operational funding to Bowie, Coppin, Morgan, and UMES consistent with the mix and degree level of their respective academic programs; 2. support for the development of the institutions’ research infrastructure; 3. support consistent with the academic profile of students; 4. lower student-faculty ratios appropriate to support their missions; and 5. funding to support students’ quality of campus life. But none of that happened.

A decade later, the Coalition for Equity and Excellence in Maryland Higher Education, Inc., (the “Coalition”) alleged that the State had failed to keep the promise(s) it made in the 2000 Partnership Agreement, and The Coalition accused MHEC of maintaining vestiges of the prior de jure system of segregation by allowing traditionally white schools to duplicate programs that were unique to the HBCUs. The Coalition then filed suit against the State in Coalition for Equity and Excellence in Maryland Higher Education, Inc., et al. v. Maryland Higher Education Commission, et al, Civ.No.06-2773-CCB (U.S. District, District of Maryland) to, in large measure, enforce the financial terms of the 2000 OCR Partnership Agreement.

In 2013, U.S. District Judge Catherine C. Blake made findings of fact and conclusions of law including that unnecessary program duplication is traceable to the de jure era, and she called for the appointment of special master to oversee the creation of a remedial plan to address past unequal treatment of Morgan, Bowie, Coppin and UMES by the State. Several attempts at mediation by the parties, including mediation ordered by the United States Court of Appeals for the Fourth (4th) Circuit, have been unsuccessful.

Key Equity Provisions of Senate Bill 1/House Bill 1

Given this historical inequity outlined above, Morgan supports passage of Senate Bill 1/House Bill 1, including the bill’s following key provisions:

§10–214.

(5) THE ADDITIONAL SUPPORT SHALL BE PROVIDED IN THE FORM OF ADDITIONAL FUNDING IN THE AMOUNT OF \$577,000,000, WHICH SHALL BE PROVIDED IN AMOUNTS AS CALCULATED UNDER §15-126 OF THIS ARTICLE IN EACH OF FISCAL YEARS 2023 THROUGH 2032, AND SHALL BE ALLOCATED AMONG THE INSTITUTIONS; AND

(6) THE PROVISIONS OF §§ 15–126 AND 15–127 OF THIS ARTICLE SHALL ENSURE THAT MARYLAND’S HISTORICALLY BLACK COLLEGES AND UNIVERSITIES SHALL RECEIVE THIS SUPPORT.

§11–206.3.

Morgan also supports the Senate Bill 1/House Bill 1 provision requiring additional funds in an amount sufficient to employ the additional Maryland Higher Education Commission personnel needed to do the work of the Commission under this section.

In closing, Morgan strongly encourages support for Senate Bill 1/House Bill 1 and urges the General Assembly and the Commission to continue Maryland’s march towards equitable treatment of Bowie, Coppin, Morgan and UMES, by moving with dispatch to eliminate academic program duplication, and to provide the requisite supplemental funding to the State’s public 4–year HBCUs to remedy the findings of the US District Court of the State’s history of de facto and traceable de jure discrimination. Morgan also supports a continuation of this enhanced funding beyond 2031. Finally, Morgan unequivocally supports the Bill’s requirement that the additional enhancement funds should not supplant any in the University’s ongoing operating budget.

Morgan State University strongly encourages the passage of Senate Bill 1/House Bill 1.