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**Bill Number:** Senate Bill 540

**Position:** Letter of Information

**Title:** Higher Education - Transfer Platform - Established (Transfer With Success Act 2.0)

**Committee:** Senate Education, Health & Environmental Affairs Committee

**Hearing Date:** March 2, 2022

**Bill Summary:**

Senate Bill 540 requires each community college and 4–year institution that receives State funds to participate in a transfer platform that the Maryland Higher Education Commission (MHEC) establishes to facilitate the transfer of students from community colleges to 4–year institutions of higher education.

**Information:**

Over the past 6 months, MHEC has worked with various stakeholders to (a) revise regulations to implement the requirements of the Transfer with Success Act from 2021 and (b) revise and replace existing regulations in an effort to fully support transfer students and clarify statewide processes and expectations regarding transfer. Highlights of the draft new regulations can be found at the end of this letter.

We also understand that amendments are being considered. Specifically, we understand that the amendments would immediately obligate MHEC to delegate the design or establishment of a transfer platform to the University System of Maryland (USM) and removes MHEC’s initial authority to establish a transfer platform. It is important that MHEC have the initial authority to establish a transfer platform: it will allow a neutral party to ensure that the design and implementation of the platform takes into account the needs of all institutions. Additionally, giving MHEC initial authority would allow MHEC to potentially enforce non-compliance for all participating institutions. USM has no authority over Morgan State University, St. Mary’s College of Maryland, the 16 community colleges, and the private and independent institutions. It would potentially be a non-enforceable tool if the automatic delegation includes oversight over ongoing operations, it would potentially be a non-enforceable tool (ARTSYS would run as it runs right now – with no MHEC oversight). Additionally, without MHEC’s initial authority to establish a transfer platform, there would be challenges with data collection and sharing of data.

Please find below additional comments regarding Senate Bill 540 and relevant information for your consideration.

- It would be helpful to first identify the requirements of the transfer platform *before* requiring MHEC to delegate the design or establishment of the platform to USM.

- It is unclear what “provide recommended courses for specific programs of study at 4–year institutions of higher education” means (p.3, lines 19-20).
- It is unclear what “a transcript option” is, what “determines that status of courses” means, and what it means to “compare courses with recommended transfer programs” (p3, lines 21-24).
- On page 3, lines 23-24, the term “recommended transfer program” is used. MHEC has moved away from using this term in revised regulations. Instead, MHEC is using the term “articulation agreements” (i.e., actual signed documents). More specifically, MHEC will require “Program Transfer Agreements” (a specific type of articulation agreement) for all new academic programs and substantial modifications to existing programs to ensure that clear transfer pathways are created between community colleges and public 4-year institutions when designing undergraduate academic programs.
- The proposed transfer platform should support all transfer students: not just the ones that move from a community college to a public 4-year but also those that move between community colleges and between public 4-year institutions. If that is a shared ideal, then all public institutions, not just 4-year institutions, should be held to the requirements found on lines 27-29 on page 3 and lines 1-9 on page 4.
- The MHEC new regulations establish a new operational definition for establishing course equivalencies in revised regulations. When at least 70% of the learning outcomes of the two courses are equivalent, a course cannot be denied for transfer. It will be important that the transfer platform reflects this new standardized requirement.
- It is unclear what a “transfer evaluation” would be in the context of a transfer platform (p.4, line 3). MHEC, through new regulations, will be requiring institutions to create a Transfer Evaluation Report to inform a student in writing of the outcome of an evaluation of completed courses and credits in a transfer evaluation request from a student.
- It is unclear what the provision on page 4, line 10-13 means.
- The prohibition found on page 4 lines 18-20 should also be made to apply if MHEC delegates the design or establishment of the transfer platform to USM.
- It is unclear who is intended to operate and maintain the platform after it is established regardless of delegation of design.

Below are additional pending regulatory changes from MHEC regarding transfer that you may find helpful when discussing Senate Bill 540:

- Clear differentiation between the standards for transfer of general education courses, individual major and elective courses, and credit for prior learning.

- Necessary clarification of the distinction between the terms “course” and “credit” as they relate to transfer. Generally, the terms are used interchangeably. However, student transfer is better predicated on the successful completion of specific coursework and the assessment of student learning outcomes, rather than simply the transfer of credits. The focus on the transfer of coursework, as opposed to credits, assists prospective transfer students in degree planning and course registration and facilitates the creation of institutional transfer agreements.
- New definitions were added for three specific types of articulation agreements regarding the general transfer of courses (Course Transfer Agreement), the transfer of courses specific to an academic program (Program Transfer Agreement), and the awarding of credit for prior learning (Prior Learning Transfer Agreement), to facilitate the development of articulation agreements between institutions.
- Requirement that transfer policies, course equivalencies, articulation agreements, and other relevant information are made publicly available and easily accessible.

We welcome the opportunity to further discuss the proposed bill and information provided here. Please contact Dr. Emily A. A. Dow, Assistant Secretary for Academic Affairs at [emily.dow@maryland.gov](mailto:emily.dow@maryland.gov), for more information.