



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

SPONSOR TESTIMONY

HB 1138 - Higher Education - Private Career Schools - Advertising

The Honorable Brian Feldman, Chair
Education, Energy, and the Environment Committee
Maryland Senate
2 West Miller Senate Office Building
Annapolis, MD 21401

Chair Feldman, Vice-Chair Kagan, and Esteemed Members of the Education, Energy, and the Environment Committee:

HB 1138 is a modest bill that seeks to enable qualifying private career schools to advertise slightly ahead of their official opening date, after meeting certain criteria and only with the Maryland Higher Education Commission's (MHEC) explicit approval. To guarantee robust consumer protections for students, schools that receive approval to advertise under this legislation are not allowed to enroll or accept any payments or funds from prospective students.

Under HB 1138, private career schools may request to begin advertising before receiving their Certificate of Approval (COA) only when they have:

- conducted a market survey
- secured a location
- completed necessary building modifications
- obtained required equipment and permits (except the COA)
- been determined to be likely to receive approval from Maryland Higher Education Commission (MHEC), and
- received explicit authorization from the Secretary to begin advertising.

The legislation is necessary to codify the unwritten administrative practices that MHEC currently employs so that private career schools can open, operate, and plan their activities with sufficient clarity. Schools' inability to advertise before opening means that they must fully open before recruiting any students, incurring weeks and potentially months of full operating costs without associated revenue from full operating levels of students.

Those costs amount to an unnecessary financial barrier for Maryland educational institutions offering alternative career pathways. This barrier could be alleviated if schools are able to enroll students closer to their opening dates, which would require them to identify and communicate their existence and services with prospective students beforehand through advertisements.

Finally, I am grateful for MHEC's support and collaboration on this legislation, and the House and I have accepted its proposed amendment as friendly. With MHEC's guidance, I am confident that this bill strikes the appropriate balance between robust student protections and regulatory reform to make opening and operating a private career school less burdensome—ultimately giving students more opportunities to pursue alternative career paths.

For these reasons, I urge the Committee to give HB 1138 a favorable report.

Best regards,

A handwritten signature in blue ink, appearing to read "Kris Fair". The signature is fluid and cursive, with the first name "Kris" and last name "Fair" clearly distinguishable.

Delegate Kris Fair
District 3, Frederick County