

**SPONSOR TESTIMONY**  
**HB 28 - Higher Education - Private Career Schools - Advertising**

The Honorable Ben Barnes, Chair  
Appropriations Committee  
120 Taylor House Office Building  
House of Delegates  
Annapolis, MD 21401

Chair Barnes, Vice-Chair Kaiser, and Esteemed Members of the Appropriations:

HB 28 is a modest bill that seeks to enable qualifying private career schools and institutions of postsecondary education 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. **This legislation was given a unanimous favorable report by this Committee last year, and passed the House 139-0.**

Under HB 28, private career schools and institutions of postsecondary education 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 and institutions of postsecondary education 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 worked last year to develop this language directly with MHEC. 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 28 a favorable report.

Best regards,

A handwritten signature in blue ink that reads "Kris Fair". The signature is written in a cursive style with a large initial "K" and "F".

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Delegate Kris Fair  
District 3, Frederick County