

Testimony in support of HB0028 - Higher Education

Uploaded by: Richard KAP Kaplowitz

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01/27/2026

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON HB#0028 – FAVORABLE

Higher Education - Private Career Schools – Advertising

TO: Chair Barnes, Vice Chair Kaiser and members of the Appropriations Committee

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of HB#0028, Higher Education - Private Career Schools - Advertising

This bill will permit much greater control over the activities of private career schools as they promote themselves to potential students. It will accomplish this by authorizing the Secretary of Higher Education to allow certain private career schools to advertise certain information and collect contact information from potential new students before receiving a certificate of approval from the Maryland Higher Education Commission to operate a private career school in the State under certain circumstances; requiring an approved private career school to advertise only information relating to the opening of the private career school and include a certain disclosure; etc.

In 1969-1970, while a high school senior, I attended Lear Siegler Institute in Silver Spring studying Computer Programming. The school advertised its ability to find jobs in Information Technology to get students to enroll. As reported by the New York Times on July 23, 1975, they were forced to close and pay significant fines by the Federal Trade Commission.¹ They were among a large group of private schools similarly fined.

This bill will ensure that Maryland exercises control over private schools to avoid problems with those schools that could arise in the future.

I respectfully urge this committee to return a favorable report and pass HB0028.

¹ <https://www.nytimes.com/1975/07/23/archives/closed-computer-school-to-give-students-750000-in-refunds.html>

HB 28 Written Testimony PDF Del Kris Fair.pdf

Uploaded by: Kris Fair

Position: FWA

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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, flowing style.

Delegate Kris Fair
District 3, Frederick County

HB28_FWA_LincolnTech.pdf

Uploaded by: Patrick Hogan

Position: FWA



HOUSE APPROPRIATIONS COMMITTEE

House Bill 28 - Higher Education - Private Career Schools - Advertising

Favorable with Amendments

January 27, 2026

Chair Barnes, Vice Chair Kaiser and members of the Appropriations Committee, Lincoln College of Technology (“Lincoln Tech”) is a nationally recognized degree-granting career college located in Columbia, Maryland, that trains students in career-focused field such as HVAC, automotive technology, electrical, medical assisting, and welding. Lincoln Tech fully supports House Bill 28 with a friendly amendment to include degree-granting institutions of post-secondary education.

For over 60 years, Lincoln Tech has provided industry-recognized certifications and connected graduates to employers such as Penske, Constellation Energy, Ironworkers Local #5, and more. Every year, hundreds of students graduate from its Columbia campus. As Lincoln Tech considers possible expansion in Maryland, the ability to advertise its programs and collect prospective interest from Maryland residents becomes essential in starting to operate a new campus location. Currently, House Bill 28 allows private career schools to begin advertising future programs while finalizing their Certificate of Approval to operate. As drafted, Lincoln Tech would be excluded from the proposed legislation due to its degree granting status in Maryland. We believe this bill should apply to all institutions of postsecondary education, including those who offer any type of degree, in order to provide a level playing field to any institution interested in expanding in Maryland.

To this end, we have worked with the bill sponsor and the Maryland Higher Education Commission (MHEC) to draft a friendly amendment to include institutions of postsecondary education. We urge a favorable report with the following amendments.

Article – Education
10–101.

(a) In this division the following words have the meanings indicated.

(i) (1) “Institution of postsecondary education” means a school or other institution that offers an educational program in the State for individuals who are at least 16 years old and who have graduated from or left elementary or secondary school.

(j) “Private career school” means a privately owned and privately operated institution of postsecondary education other than an institution of higher education that furnishes or offers to furnish programs, whether or not requiring a payment of tuition or fee, for the purpose of training, retraining, or upgrading individuals for gainful employment as skilled or semiskilled workers or technicians in recognized occupations or in new and emerging occupations.

11–212.

(A) THE SECRETARY MAY APPROVE A REQUEST FROM AN APPLICANT FOR A PRIVATE CAREER SCHOOL **OR INSTITUTION OF POSTSECONDARY EDUCATION (AS DEFINED IN §10–101 IN THIS ARTICLE)** TO ADVERTISE AND COLLECT CONTACT INFORMATION FROM POTENTIAL NEW STUDENTS BEFORE THE PRIVATE CAREER SCHOOL **OR INSTITUTION OF POSTSECONDARY EDUCATION** RECEIVES A CERTIFICATE OF APPROVAL TO OPERATE.

(B) A PRIVATE CAREER SCHOOL **OR INSTITUTION OF POSTSECONDARY EDUCATION** APPROVED UNDER SUBSECTION (A) OF THIS SECTION:

1. SHALL:

(I) ADVERTISE ONLY INFORMATION RELATING TO THE OPENING OF THE PRIVATE CAREER SCHOOL **OR INSTITUTION OF POSTSECONDARY EDUCATION**, INCLUDING THE ANTICIPATED DATE OF OPENING, PROGRAMS OF INSTRUCTION, AND THE APPLICATION PROCESS; AND

(II) INCLUDE, IN ANY ADVERTISEMENT, A DISCLOSURE THAT THE CERTIFICATE OF APPROVAL TO OPERATE THE PRIVATE CAREER SCHOOL **OR INSTITUTION OF POSTSECONDARY EDUCATION** IS PENDING APPROVAL; AND

2. MAY NOT COLLECT ANY FEES OR ENTER INTO AN ENROLLMENT AGREEMENT WITH POTENTIAL STUDENTS.

(C) THE SECRETARY SHALL ADOPT REGULATIONS PROVIDING FOR THE PROCESS TO APPROVE A PRIVATE CAREER SCHOOL **OR INSTITUTION OF POSTSECONDARY EDUCATION** TO ADVERTISE UNDER THIS SECTION.

Contact: Patrick Hogan, Cornerstone Government Affairs, phogan@cgagroup.com

HB28 Private Career Schools EconAction UNF.docx.pd

Uploaded by: Marceline White

Position: UNF



**HB28-Higher Education-Private Career Schools-Advertising
Position: UNFAVORABLE**

January 27, 2026

The Honorable Ben Barnes, Chair
Appropriations Committee
Room 120, House Office Building
Annapolis, MD 21401
Cc: Members, House Appropriations

Chair Barnes and Members of the Committee,

Economic Action Maryland Fund writes in opposition to HB28.

In the past decade, the General Assembly has passed multiple pieces of legislation to regulate private career schools and protect prospective students from career schools that offer high costs but low returns. The General Assembly has expanded protections for students interested in private career and for-profit schools to protect them from sudden closures, inappropriate training for licensure in Maryland, and more.

Our 2020 report [Grading For-Profit Schools](#) analyzed how for-profit and private career schools operating in Maryland performed on the basis of debt-to-income, default rates, and instructional spending. The study found that 19 of 36 schools (52%) received a D as their final grade based on their outcomes and only 12 institutions spent more than 50% of tuition revenue on instruction.

Given the high cost of education, it's important that prospective students are able to compare the outcomes of for-profit and private career schools with public institutions. That's why we created a [Know Before You Enroll](#) campaign to allow students to compare schools on key metrics. Past research has shown that advertising by private career and for-profit colleges have provided inaccurate data on graduation and career outcomes. Given the poor track record of the industry, Economic Action Maryland Fund is wary of letting private career schools advertise before they have received a certificate from MHEC.

We understand that there are amendments that are being proffered that may address our concerns. After the amendments are offered and we have a chance to review them, if they ameliorate our concerns we will withdraw our objections.

At this time, we do not see any reason to allow private career schools to advertise before they receive approval from MHEC.

For these reasons we oppose HB28 and urge an unfavorable report.

Best,

Marceline White
Executive Director

Economic Action (formerly the Maryland Consumer Rights Coalition) champions economic rights and housing justice through advocacy, research, consumer education, and direct service. Our 12,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

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