

MSU Response to SB983 040826.pdf

Uploaded by: David Wilson

Position: FAV



Office of the President

**Morgan State University Testimony
Dr. David K. Wilson, President**

Senate Bill 983 (Senator Cory McCray)
Higher Education – Academic Program Approval - Objections

April 8, 2026

Favorable

Chair Ben Barnes, Vice Chair Ann Kaiser, and members of the Appropriation Committee. We, at Morgan, thank you for the opportunity to share our position on Senate Bill 983. The summary of the Bill states the following: *Repealing the requirement that a proposed new academic program be a graduate program in order for the Maryland Higher Education Commission or institutions of higher education in the State to file an objection to implementation of the proposed program.*

Good afternoon. I am David K. Wilson, President of Morgan State University. It is my privilege to testify before you today in support of Senate Bill 983 (“SB 983”), which is an important bill to facilitate the State’s compliance with existing federal and State law governing the Maryland public system of higher education. The primary purpose of the bill is to repeal the requirement that a proposed new academic program be a graduate program in order for the Maryland Higher Education Commission (“MHEC”) or certain institutions of higher education to file an objection to implementation of the proposed program. This will ensure that effective processes are in place to properly review and/or object to proposed undergraduate and graduate programs and ensure they comply with federal and State law.

In recent years, the U.S. District Court for the District of Maryland held that the State of Maryland continues to maintain and perpetuate a separate and unequal system of higher education that is segregated by race and which violates the constitutional rights of students who attend the State’s four historically black colleges and universities (HBCUs), and that a remedy is required. That holding is grounded primarily in the State’s continuing policies and practices of unnecessary program duplication. A Program Approval Process Workgroup (“Workgroup”) was assembled to make recommendations to support Maryland’s compliance with federal and state law. Some of the Workgroup’s recommendations were helpful in facilitating the elimination of unnecessary program duplication, which, the courts have consistently held, was part and parcel to a segregated system of higher education and is a policy and practice that fosters discrimination by race and which perpetuates the inequities of segregation by race.

Part of the progress made was legislation that clarified the distinction between “unreasonable duplication of academic programs” and “unnecessary duplication of academic programs,” and ensured that new, high-demand programs at the State’s HBCUs remain unique to the HBCUs. Unfortunately, some aspects of Maryland’s higher education academic program approval process continue to present serious challenges. The Workgroup made multiple recommendations. For example, it is recommended that the Maryland

Higher Education Commission (“MHEC”) reexamine its statutory and regulatory deadlines for the program approval process to determine if those deadlines need to be updated or streamlined to meet the needs of institutions and students in the State. The Workgroup recommended that MHEC’s processes and procedures be transparent, predictable, and timely.

In this respect, SB 983 will help correct one aspect of the academic program approval process. SB 983 necessarily amends Education Article 11-206.1, which governs the proposal, consideration, and approval of new academic programs. It is important that the State ensure that the analysis and criteria for program approval and objections comply with applicable federal and state law. Currently, it is our understanding that the development of updated regulations has not been completed, and we are concerned that this has resulted in unreasonable and unnecessary program duplication that we believe is not consistent with State and federal law. In addition, since MHEC is responsible for ensuring State compliance with federal and state desegregation mandates, it is important that MHEC conduct the necessary independent analysis, which may inform but is separate and apart from the objection process (which is not the only mechanism for achieving compliance). In addition, transparency is essential, as unreasonable and unnecessary program duplication is less likely to be prevented without making notice to all of an institution’s intent to submit a new proposed program.

All of this will help preserve, strengthen, and enhance a complementary, rather than duplicative, system of higher education, as well as a racially, ethnically, and demographically diverse system of higher education structured to best meet the needs of the State and, most significantly, of the students we serve.

I strongly urge this Committee to approve SB 983. Thank you for your consideration. I am happy to entertain any questions you might have at this time. I am also happy to provide you with any further information that you might request.

Respectfully submitted,



David K. Wilson
President, Morgan State University

MICUA SB 983 Program Approval Unfavorable (crossov

Uploaded by: Beatrix Peck

Position: UNF



Unfavorable

House Appropriations Committee

Senate Bill 983 – Higher Education – Academic Program Approval - Objections

Matt Power, President

mpower@micua.org

April 8, 2026

On behalf of Maryland's independent colleges and universities and the more than 56,000 students we serve, thank you for the opportunity to submit testimony in opposition to [*Senate Bill 983 Higher Education - Academic Program Approval - Objections*](#). SB 983 would expand Maryland's academic program objection process by allowing objections to any proposed academic program, rather than just graduate programs.

MICUA's opposition is process-based. The General Assembly has already given this issue substantial attention. In 2023, the State created the Program Approval Process Workgroup to examine Maryland's academic program review system. That workgroup was co-chaired by Senator Nancy King and Delegate Stephanie Smith and included representation from all the segments of higher education in Maryland. It met over the course of many months, reviewed the existing process in depth, and produced recommendations for statutory reform.

The General Assembly then acted on those recommendations in the 2024 Session by enacting House Bill 1244, now Chapter 963. That law made comprehensive changes to Maryland's academic program approval process, including new standards for duplication, new hearing procedures, a required administrative procedures guide, and the creation of the Program Review Process Advisory Council (PRPAC). As part of those changes, undergraduate programs implemented with existing resources are excluded from the program review process. This was a deliberate policy choice by the General Assembly after an extensive stakeholder and legislative review process.

The PRPAC, with representation from all segments of higher education, continues to advise MHEC on implementation of House Bill 1244. Under the bylaws approved in July 2024, the Council exists to review the processes and procedures required for the Commission's academic program review functions. The Council meets monthly and has expended significant time, resources, and expertise to aid MHEC in the implementation of House Bill 1244. The Council will meet monthly throughout 2026 to finalize the implementation and regulations for adoption by the Maryland Higher Education Commission.

For these reasons, MICUA respectfully believes that Senate Bill 983 is premature at this time. The State only recently enacted a major statutory overhaul of the program approval review, and MHEC is still in the process of translating those changes into durable procedures, guidance, and regulations. Revisiting and materially expanding the objection process before the 2024 law is fully implemented risks disrupting that

work, introducing uncertainty into an already evolving framework, and undermining the orderly implementation process the General Assembly itself established.

MICUA therefore respectfully urges an unfavorable report on Senate Bill 983 and asks that the State allow the 2024 reforms, and the advisory and implementation structure created to support them, to be fully carried out before considering additional statutory changes of this magnitude.

SB983_USM_INFO_XAPP.pdf

Uploaded by: Andy Clark

Position: INFO



HOUSE APPROPRIATIONS COMMITTEE
Senate Bill 983
Higher Education – Academic Program Approval - Objections
April 8, 2026
Information

Chair Barnes, Vice Chair Kaiser, and members of the committee, thank you for the opportunity to offer testimony on Senate Bill 983. This bill would repeal for a year the requirement that a proposed new academic program would have to be at the graduate level for the Maryland Higher Education Commission (MHEC) or an institution of higher education to file an objection to the proposed program's implementation. It would also require the Program Review Process Advisory Council (PRPAC) within MHEC to study and make recommendations on extending the objection process for proposed academic programs to include new undergraduate programs.

The University System of Maryland (USM) is composed of twelve distinguished institutions and three regional centers. We award eight out of every ten bachelor's degrees in the state. Each of USM's institutions has a distinct and unique approach to the mission of educating students and promoting the economic, intellectual, and cultural growth of its surrounding community. These institutions are located throughout the state, from western Maryland to the Eastern Shore, with the flagship campus in the Washington suburbs. The USM includes three Historically Black Institutions (HBI), comprehensive institutions and research universities, and the country's largest public online institution.

MHEC has been convening the PRPAC for a year. The PRPAC membership includes the leadership of our state's public and independent segments of higher education, including HBI leaders who have a particular stake in the effective and legally compliant management of the program review process. MHEC and this Council are engaged in ongoing work to account for the State's workforce needs, while being mindful that Maryland is not best served by highly similar programs addressing similar student populations. Current law narrows duplication objections to graduate and professional programs.

Managing objection processes takes considerable time and attention at MHEC. A program objection adds months to an approval process. Expanding the chances for duplication will take focus and bandwidth away from MHEC's work to complete implementation of other elements of the 2024 program approval statute. Further work with online program analysis is to be done. MHEC has introduced new program approval processes, especially for graduate and professional programs. These processes require further time and attention to enhance their effectiveness. There is every expectation that with the input of the PPRAC, in time MHEC will be able to improve processes to meet Maryland's needs and to enhance the spirit of collegiality and collaboration among institutions.

The USM appreciates the opportunity to provide this information regarding Senate Bill 983.



UNIVERSITY SYSTEM
of MARYLAND



SB 983 LOI (2).pdf

Uploaded by: Meghan Music

Position: INFO



April 8, 2026

The Honorable Ben Barnes
Chair, Appropriations Committee
120 Taylor House Office Building
Annapolis, Maryland 21401

Chairman Barnes, Vice Chair Kaiser, and the Honorable Members of the Appropriations Committee,

The Maryland Higher Education Commission (MHEC) respectfully submits this Letter of Information for Senate Bill 983. The current landscape of academic program approval for colleges and universities in Maryland is the result of a multi-year, consensus-driven effort to balance institutional agility with the state's deep commitment to equity. SB 983 seeks to repeal the "graduate" distinction and return undergraduate programs to the objection and duplication review process.

In 2021, the Maryland General Assembly enacted legislation (HB 1/SB 1) that provided a historic \$577 million settlement for Maryland's four Historically Black Colleges and Universities (HBCUs). Part of the settlement, as established by legislation, required the Department of Legislative Services to contract with a third-party to study the academic program review process in Maryland to prevent future "de jure" duplication.¹

The National Center for Higher Education Management Systems (NCHEMS) was selected as the third-party vendor, conducted its mandated review, and released its findings in August and September 2022. Following the release of the report, the Maryland General Assembly utilized the findings to identify a need for further transparency and data-driven alignment with workforce demands², and in 2023, established a legislative workgroup to issue a report on eight specific reform items. The workgroup was required to make recommendations in developing measurable criteria to determine when a proposed new program is considered unreasonable, unnecessary, or duplicative, while balancing the need for objective data to determine if proposed programs support State workforce needs and economic competitiveness.

¹ https://mgaleg.maryland.gov/2021RS/chapters_noln/Ch_42_sb0001E.pdf

² Part 1:

https://mgaleg.maryland.gov/mgawebsite/Committees/Media/false?cmte=eee&clip=EED_1_26_2023_meeting_1&ys=2023rs

Part 2:

https://mgaleg.maryland.gov/mgawebsite/Committees/Media/false?cmte=eee&clip=EED_1_26_2023_meeting_2&ys=2023rs

The legislative Program Approval Process Workgroup was co-chaired by Senator Nancy King and Delegate Stephanie Smith. This group included representatives from all of Maryland's higher education stakeholders, including the University System of Maryland, Maryland Independent Colleges & University Association, Morgan State University, St. Mary's College of Maryland, and the Maryland Association of Community Colleges.

During the workgroup process, members discussed the department's existing unreasonable program duplication process and the intentional focus the department took on vocational/technical, occupational, graduate, and professional programs. The workgroup's final report retained the focus on unreasonable program duplication on graduate and professional programs, rather than choosing to expand to include undergraduate core programs consisting of basic liberal arts and sciences disciplines. The Workgroup's entire set of recommendations was finalized in January 2024.³

The workgroup's recommendations were codified in HB 1244 of 2024, which focused on concerns about program duplication in graduate programs. All institutional members of the Workgroup testified in support of the legislation. It made several foundational changes, including the establishment of an ongoing Program Review Process Advisory Council, which includes the same membership as included on the legislative Program Approval Process Workgroup as established by MHEC bylaws, and the establishment of a "Letter of Intent" process so institutions of higher education would collaborate with one another on program design and development.

A critical component of HB 1244 was the explicit amendment of Education Article § 11-206.1, adding the word "graduate" to focus duplication concerns and formal objection processes on graduate programs. MHEC began implementing the various new provisions in HB 1244 immediately and continues to establish processes and procedures that are aligned with HB 1244.

Therefore, consistent with revisions to Education Article § 11-206.1, MHEC now conducts duplication analysis for all graduate programs and for undergraduate programs that require new institutional resources. Between July 1, 2024, when HB 1244 took effect, and March 1, 2026, MHEC received 58 graduate proposals for new degrees/certificates or substantial modifications to existing degrees/certificates that required the department to conduct a duplication analysis.

At the same time, MHEC received 122 undergraduate proposals, more than double the number of graduate proposals, for processing and approval. Undergraduate programs implemented using existing resources are not subject to the statutory objections process and are not reviewed for duplication, and none of the 122 proposals reviewed would have required new institutional resources.

MHEC remains committed to implementing the law, derived from the multi-year, consensus-driven effort to balance institutional agility with the state's deep commitment to equity, and to the continued guidance from the Maryland General Assembly.

3

MHEC remains available to provide additional information as needed.

Yours in Service,

Elena Quiroz-Livanis

Elena Quiroz-Livanis, Interim Secretary
Maryland Higher Education Commission