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January 28, 2026

The Honorable Brian Feldman, Chair,  
Judicial Proceedings Committee  
2 West Miller Senate Office Building  
Annapolis, Maryland 21401

Chair Feldman, Vice Chair Kagan, and members of the Education, Energy, and Environment Committee,

Thank you for the opportunity to provide information on Senate Bill 208 – Maryland Higher Education Commission – Religious Educational Institutions – Certificate of Approval, sponsored by Senator Charles. The Maryland Higher Education Commission (MHEC) submits this letter of information to outline implementation and statutory considerations related to the bill.

SB 208 does not create a fiscal impact for the agency. However, the bill would modify existing State authorization requirements for certain institutions of higher education, which has implications for Maryland's higher education regulatory framework.

Under current law, institutions operating in Maryland are generally required to obtain State authorization through a Certificate of Approval issued by MHEC prior to operating, enrolling students, or participating in federal Title IV financial aid programs. This authorization process serves as the State's mechanism for establishing institutional oversight, ensuring minimum operating standards, and providing consumer protections for students.

As drafted, SB 208 would exempt certain religious educational institutions from the requirement to obtain a Certificate of Approval if the institution holds accreditation from an accrediting body recognized by the U.S. Department of Education. As a result, an institution could seek accreditation and pursue eligibility for federal funding without first being subject to State authorization or ongoing State oversight.

This represents a departure from the current authorization framework, under which State approval functions as the foundational layer of oversight for all postsecondary institutions operating in Maryland, regardless of institutional mission or governance structure. The exemption created by SB 208 would establish an alternative pathway that does not include State authorization as a prerequisite.

MHEC provides this information to assist the Committee in evaluating the bill's potential regulatory effects. MHEC remains available to provide

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additional technical clarification or to discuss how the bill interacts with existing State and federal authorization requirements. If you have any questions or concerns, please contact Meghan Music, Executive Director of External and Legislative Relations.

Yours in Service,

Handwritten signature of Sanjay Rai in black ink, consisting of the letters 'S', 'K', and 'R' followed by a stylized flourish.

Sanjay Rai, Ph.D.  
Secretary  
Maryland Higher Education Commission

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