

MARYLAND REGISTER

## Proposed Action on Regulations

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	03/30/2022	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 5/6/2022

2. COMAR Codification

Title	Subtitle	Chapter	Regulation
13B 02	03	02, .06, and .19	
13B 06	01	01-.09	
13B 06	02	01-.14	
13B 07	02	01	

3. Name of Promulgating Authority

Maryland Higher Education Commission

<b>4. Name of Regulations Coordinator</b>	<b>Telephone Number</b>
Soma R Kedia	410-767-3311

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<b>5. Name of Person to Call About this Document</b>	<b>Telephone No.</b>
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6. Check applicable items:  
 New Regulations

**X- Amendments to Existing Regulations**

Date when existing text was downloaded from COMAR online: 03/18/2022.

**X- Repeal of Existing Regulations**

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R  
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

**7. Is there emergency text which is identical to this proposal:**

Yes **X- No**

**8. Incorporation by Reference**

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

**9. Public Body - Open Meeting**

**X- OPTIONAL** - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

**OPTIONAL** - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

**10. Children's Environmental Health and Protection**

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

**11. Certificate of Authorized Officer**

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Soma Kedia, Assistant Attorney General, (telephone #410-767-3311) on March 17, 2022. A written copy of the approval is on file at this agency.

**Name of Authorized Officer**

James D. Fielder, Jr., Ph.D.

**Title**

Secretary of Higher Education

**Telephone No.**

410-767-3312

**Date**

March 30, 2022

**Title 13B**  
**B MARYLAND HIGHER EDUCATION COMMISSION**

**Subtitle 02 ACADEMIC REGULATIONS**

**13B.02.03 Academic Programs — Degree-Granting Institutions**

**Subtitle 06 GENERAL EDUCATION AND TRANSFER**

**13B.06.01 Public Institutions of Higher Education**

**Subtitle 06 GENERAL EDUCATION AND TRANSFER**

**13B.06.02 Requirements for Articulation Agreements**

**Subtitle 07 COMMUNITY COLLEGES**

**13B.07.02 General Regulations and Policies for Community Colleges**

Authority: Education Article, Titles 11 and 16, Annotated Code of Maryland; Education Article, §§11-105 and Title 11, Subtitle 2, Annotated Code of Maryland; Education Article, §§11-105 and 11-207, Annotated Code of Maryland; Education Article, Titles 11, 15, and 16, Annotated Code of Maryland

**Notice of Proposed Action**

[]

The Maryland Higher Education Commission proposes to :

- (1) Amend Regulations .02 and .06, repeal Regulation .19, and add a new Regulation .19 under COMAR 13B.02.03 Academic Programs – Degree-Granting Institutions;
- (2) Amend the chapter name and Regulations .01, .02, and .03 and repeal Regulations .02-1 and .04—.09 under COMAR 13B.06.01. Public Institutions of Higher Education;
- (3) Repeal Chapter 13B.06.02 Requirements for Articulation Agreements;
- (4) Add new Regulations .01—.14 under a new chapter, COMAR 13B.06.02 Transfer Students and Transfer of Courses and Credits; and
- (5) Amend Regulation .01 under COMAR 13B.07.02 General Regulations and Policies for Community Colleges.

This action was considered at an open meeting of the Commission held March 23, 2022.

**Statement of Purpose**

The purpose of this action is to :

- (a) Add a transfer evaluation and review process to implement the Transfer with Success Act (Chs. 188 and 189, 2021 Laws of Maryland);
- (b) Create new statewide standards for the evaluation of course and credit transfer requests by students and clarify existing standards, including distinguishing between the transferability of completed courses and the awarding of credit for transferred courses;
- (c) Create new requirements regarding public availability of transfer policies and information to create more transparency for students engaging in the transfer process and make course planning and registration more straightforward;
- (d) Encourage collaboration between institutions and create concrete transfer and

articulation requirements for public institutions requesting approval for new academic programs or substantial modifications to existing academic programs;

(e) Significantly reorganize the existing regulations regarding student transfer, rewrite existing transfer provisions in a manner that is clear and direct, and add new terms and definitions to enhance readability by students and university staff who need to navigate the complex standards and processes governing student transfer;

(f) Make language and organizational clarifications to regulations governing general education for public institutions and add a requirement to identify general education courses on student transcripts to assist with transfer evaluation; and

(g) Replace outdated terminology and update various chapter and regulation names, cross references, and definitions to align with the proposed amendments.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

**I. Summary of Economic Impact.**

The proposed regulations have the potential to have a significant, positive impact for students, employers, and the Maryland economy. While these regulations may lead to increased staffing and other minor or moderate costs for public four-year universities and community colleges, they are expected to appreciably decrease costs for individual students who transfer between public colleges and universities. Currently, many of these students take courses that they later learn are not required for their degree program, or are required by the university to which they are transferring to retake courses already completed at their prior institution. Not only do these existing issues cause sizable additional tuition and room and board costs—sometimes thousands of dollars—the total time needed to earn a degree is elongated, keeping them out of the workforce. The proposed regulations are intended to eliminate unnecessary coursework and make the transfer process more efficient. This should create significant costs savings for students who transfer, as well as preparing them for an earlier entry into the workforce, at a net positive benefit for these individuals, Maryland employers, and the State’s overall economy.

<b>II. Types of Economic Impact.</b>	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	(E+)	Minor to Moderate
C. On local governments:	(E+)	Minor to Moderate
	Benefit (+) Cost (-)	Magnitude

- D. On regulated industries or trade groups: NONE
- E. On other industries or trade groups: NONE
- F. Direct and indirect effects on public: (+) Moderate to Significant

**III. Assumptions.** (Identified by Impact Letter and Number from Section II.)

- A. MHEC will be able to distribute scholarship funds more expansively because of decreased tuition and room and board costs for students (see public impact, below). This will allow MHEC to award scholarship funds to more students, which does not impact overall funding, but will increase the number of people benefiting from state funds.
- B. The amount of increased expenditure is indeterminable. Some public universities may have training costs for existing staff or need to hire more staff. Additionally, some public universities may need to upgrade databases or other IT systems due to new tracking and reporting requirements required by the Transfer with Success Act (Ch. 188/189, 2021 Laws of Maryland). Both staff and IT related costs will vary depending on the size of the university and its existing infrastructure for coordinating student transfer.
- C. The amount of the increased expenditure is indeterminable. Some community colleges may have training costs for existing staff or need to hire more staff. Additionally, some public universities may need to upgrade databases or other IT systems due to new tracking and reporting requirements required by the Transfer with Success Act (Ch. 188/189, 2021 Laws of Maryland). Both staff and IT related costs will vary depending on the size of the community college and its existing infrastructure for coordinating student transfer.
- F. It is expected that students transferring between community colleges and public four-year universities will need to take fewer classes to complete a degree, which will reduce tuition and fees and, potentially, room and board costs for these students. The amount will vary for individual students, but may be anywhere between \$1,000 for a single course or \$10,000 or more for an entire year, a significant cost savings. Additionally, students are more likely to complete degrees and complete them sooner. Students will have enhanced employment opportunities and will be able to enter the workforce earlier, which benefits the State’s overall economy. These students will also need less state financial aid, which would in turn allow more students to be awarded state scholarships and grants. Not only will this reduce the costs of college for those students who might otherwise not get state financial aid, it also increases their likelihood of attending college at all, therefore increasing employment opportunities for these students as well.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

### **Opportunity for Public Comment**

Comments may be sent to Emily A. A. Dow, Ph.D., Assistant Secretary for Academic Affairs, Maryland Higher Education Commission, 6 N. Liberty Street, 10th Floor, Baltimore, MD 21201, or call 410-767-3041, or email to [emily.dow@maryland.gov](mailto:emily.dow@maryland.gov), or fax to . Comments will be accepted through June 6, 2022. A public hearing has not been scheduled.

### **Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 23

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

No

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

Ideally, MHEC would hire an additional staff member to coordinate between institutions, segments, and students and to ensure compliance with the regulations. Additionally, because of the annual reporting now required under the Transfer with Success Act (Chs. 188 and 189, 2021 Maryland Laws), MHEC will need to expand existing data infrastructure to accommodate this new collection, as well as for analysis of the data. Because no funds have been allocated, the agency will use only existing resources in limited and minimal capacity.

E. If these regulations have no economic impact under Part A, indicate reason briefly:

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

These regulations only impact public institutions.

G. Small Business Worksheet:

Attached Document:

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**Title 13B MARYLAND HIGHER EDUCATION  
COMMISSION**

## Subtitle 02 ACADEMIC REGULATIONS

### 13B.02.03 Academic Programs — Degree-Granting Institutions

Authority: Education Article, Titles 11 and 16, Annotated Code of Maryland

#### .02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

[(1-1)] (2) “Articulation agreement” [means a signed written agreement between institutions of higher education regarding the transfer of academic credits from one institution to the other] *has the meaning stated in COMAR 13B.06.02.02.*

[(2) “Articulation system (ARTSYS)” means a computerized data information system created to facilitate the transfer of students from Maryland community colleges to the University System of Maryland and other participating institutions.]

(3)—(21) (text unchanged)

(22) “Program” means a *structured and coherent* course of study with *clearly defined learning objectives and intended student learning outcomes*, requiring the completion of a specified number of [semester] credit hours from among a prescribed group of courses, [that leads] *leading to [a formal] the award of a certificate or degree.*

(23)—(24) (text unchanged)

[(25) “Recommended transfer program (RTP)” means a program including both general education and courses in a major, taken at a community college, that is:

(a) Applicable to a bachelor’s degree at a 4-year institution; and

(b) Ordinarily the first two years of the bachelor’s degree.]

[(25-1)] (25) (text unchanged)

(26)—(30) (text unchanged)

#### .06 Criteria for Program Review.

A program proposal shall address the following areas:

A.—F. (text unchanged)

G. Adequacy of curriculum design, program modality, and delivery to related learning outcomes, consistent with Regulation .10 of this chapter;

H. [Adequacy] *For public institutions, adequacy of articulation and transfer planning, consistent with Regulation .19 of this chapter;*

I. Adequacy of faculty resources, consistent with Regulation .11 of this chapter;

J. Adequacy of library resources, consistent with Regulation .12 of this chapter;

K. Adequacy of physical facilities, infrastructure, and instructional equipment, consistent with Regulation .13 of this chapter;

L. Adequacy of financial resources with documentation, consistent with Regulation .14 of this chapter;

M. Adequacy of provisions for evaluation of program, consistent with Regulation .15 of this chapter;

N.—O. (text unchanged)

#### .19 Public Institutions – Transfer and Articulation.

A. *Prior to Submission.*

(1) *Before submitting a proposal for a new bachelor’s degree program that could affect students transferring from a community college, a public senior higher education institution shall notify all community colleges of the proposed program and proposed implementation date.*

(2) *Before submitting a proposal for a substantial modification to an existing bachelor’s degree program that could affect students transferring from a community college, a public senior higher education institution shall notify all community colleges of the proposed changes and proposed implementation date.*

(3) *Before submitting a proposal for a substantial modification to an existing associate’s degree program that could affect students transferring to or from a public senior higher education institution, a community college shall notify all public senior higher education institutions of the proposed changes and proposed implementation date.*

B. *Contents of Proposal.*

(1) *A proposal for a new bachelor’s degree program at a public senior higher education institution shall include:*

(a) *A proposed articulation agreement with at least one community college; or*

(b) *Justification for why an articulation agreement is not feasible or applicable.*

(2) *A proposal for a substantial modification to an existing bachelor’s degree program at a public senior higher education institution shall include:*

(a) *For a program that has an existing articulation agreement with at least one community college:*

(i) *Proposed modifications to all existing articulation agreements; or*

(ii) *Justification for why revising existing articulation agreements is not feasible or applicable; or*

- (b) For a program without any existing articulation agreement:
    - (i) A proposed articulation agreement with at least one community college; or
    - (ii) Justification for why an articulation agreement is not feasible or applicable.
  - (3) A proposal for a substantial modification to an existing associate's degree program at a community college shall include:
    - (a) For a program that has an existing articulation agreement with at least one public senior higher education institution:
      - (i) Proposed modifications to all existing articulation agreements; or
      - (ii) Justification for why revising existing articulation agreements is not feasible or applicable; or
    - (b) For a program without existing articulation agreements:
      - (i) A proposed articulation agreement with at least one public senior higher education institution; or
      - (ii) Justification for why an articulation agreement is not feasible or applicable.
  - (4) Subject to §§C(1) and (2) of this regulation, all proposed new and modified articulation agreements submitted under §§B(1)—(3) of this regulation shall be provisionally signed by the appropriate individual(s), as identified in COMAR 13B.06.02.13, prior to submission.
- C. After Approval.**
- (1) Any new or revised articulation agreement submitted under this regulation shall only be effective when:
    - (a) The new program or substantial modification is approved by the Commission; and
    - (b) The new program or substantial modification is implemented.
  - (2) A provisionally signed new or revised articulation agreement submitted under this regulation may not be made publicly available by any institution unless the new program or substantial modification has been approved by the Commission.
  - (3) The institution shall provide the curriculum and any articulation agreement(s) to all other public institutions within 90 days of the approval.

## **Subtitle 06 GENERAL EDUCATION AND TRANSFER**

### **13B.06.01 General Education Requirements for Public Institutions of Higher Education**

Authority: Education Article, §§11-105(u) and 11-207 and Title 11, Subtitle 2, Annotated Code of Maryland

#### **.01 Scope [and Applicability].**

(text unchanged)

#### **.02 Definitions.**

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

[(2) "A.A.S. degree" means the Associate of Applied Sciences degree.

(3) "A.A.T. degree" means the Associate of Arts in Teaching degree.

(4) "A.F.A. degree" means the Associate of Fine Arts degree.]

[(5)—(6)] (2)—(3) (text unchanged)

[(7) "A.S.E. degree" means the Associate of Science in Engineering degree.

(8) "Associate's degree" includes an:

(a) A.A. degree;

(b) A.S. degree;

(c) A.A.S. degree;

(d) A.A.T. degree;

(e) A.F.A. degree; and

(f) A.S.E. degree.]

[(9)] (4) (text unchanged)

[(10) "Cumulative grade point average" means the average of grades received for completed coursework at all institutions attended.]

[(11)] (5) (text unchanged)

[(12) "First-time student" means a student who:

(a) Has earned a high school diploma or equivalent; and

(b) Has not earned any college credit from an institution of higher education subsequent to earning the high school diploma or equivalent.

(13) First-time student with advanced standing" means a first-time student who earned college credit from an institution of higher education prior to earning a high school diploma or equivalent.]

[(14)—(17)] (6)—(9) (text unchanged)



[(18) “Native student” means a student whose initial college enrollment was at a given institution of higher education and who has not transferred to another institution of higher education since that initial enrollment.

(19) “Parallel program” means the program of study or courses at one institution of higher education that has parallel courses and comparable objectives as those at another higher education institution, for example, a transfer program in psychology in a community college is definable as a parallel program to a baccalaureate psychology program at a 4-year institution of higher education.

(20) “Receiving institution” means the institution of higher education to which a student desires to transfer credit.

(21) “Recommended transfer program” means a planned program of courses, both general education and courses in the major, taken at a community college, which is applicable to a baccalaureate program at a receiving institution, and ordinarily the first half of the baccalaureate degree.

(22) “Reverse transfer” means a process whereby credits that a student earns at any public senior higher education institution in the State toward a bachelor’s degree are transferrable to any community college in the State for credit toward an associate’s degree.

(23) “Sending institution” means the institution of higher education of most recent previous enrollment by a student at which applicable academic credit was earned.]

[(24)] (10) (text unchanged)

[(25) “Transfer student” means a student entering an institution for the first time having successfully completed a minimum of 12 semester hours at another institution of higher education after earning a high school diploma or equivalent that are applicable for credit at the institution the student is entering.]

### **.03 General Education Requirements for Public Institutions.**

A. While public institutions have the autonomy to design their general education program to meet their unique needs and mission, that program shall:

(1) *Incorporate course work in each of the following core areas, at a minimum:*

- (a) *Arts and humanities;*
- (b) *Social and behavioral sciences;*
- (c) *Biological and physical sciences;*
- (d) *Mathematics; and*
- (e) *English composition;*

(2) [conform] *Conform* to the definitions and common standards in this chapter[.]; and

(3) [incorporate] *Incorporate* the general education knowledge and skills required by the Middle States Commission on Higher Education Standards for Accreditation.

B. [No later than August 1, 2017, a] A public institution shall [satisfy the general education requirement by] *require each:*

(1) [Requiring each program] *Program* leading to an A.A. or A.S. degree to include [not less than] *at least* 28, [and] *but* not more than 36, [semester] *credit* hours[,] *of general education courses;*

(2) *Associate’s degree program that does not lead to an A.A. or A.S. degree to include at least 18, but not more than 36, credit hours of general education courses; and*

(3) [each baccalaureate] *Bachelor’s* degree program to include [not less than] *at least* 38, [and] *but* not more than [46 semester] 48, *credit* hours of [required core] *general education courses*[, with the core requiring, at a minimum, course work in each of the following five areas:

- (a) Arts and humanities,
- (b) Social and behavioral sciences,
- (c) Biological and physical sciences,
- (d) Mathematics, and
- (e) English composition; or

(2) Conforming with COMAR 13B.02.02.16D(2)(b)—(c).

[B.] C. Each [core] course used to satisfy the [distribution] *credit* requirements of [§A(1)] §B of this regulation shall carry at least 3 [semester] *credit* hours.

[C.] D. General education programs [of] *within the A.A. or A.S. degree or the bachelor’s degree* at public institutions shall require at least:

(1)—(5) (text unchanged)

[D.] E. Institution-Specific Requirements.

(1) In addition to the five required areas in §A of this regulation, a public institution may include up to 8 [semester] *credit* hours in course work outside the five areas. These courses may be integrated into other general education courses or may be presented as separate courses. Examples include, but are not limited to, Health, Diversity, and Computer Literacy.

(2) (text unchanged)

[E.] General education programs leading to the A.A.S. degree shall include at least 18 semester hours from the same course list designated by the sending institution for the A.A. and A.S. degrees. The A.A.S. degree shall include at least one 3-semester-hour course from each of the five areas listed in §A(1) of this regulation.]

F.—K. (text unchanged)

[L. Notwithstanding §A(1) of this regulation, a public 4-year institution may require 48 semester hours of required core courses if courses upon which the institution's curriculum is based carry 4 semester hours.

M. Public institutions shall develop systems to ensure that courses approved for inclusion on the list of general education courses are designed and assessed to comply with the requirements of this chapter.]

L. Each public institution shall designate on the student transcript those courses that have met a general education requirement, including the specific core area or requirement it has fulfilled under this regulation.

### **13B.06.02 Transfer Students and Transfer of Courses and Credits**

*Authority: Education Article, §§11-105 and 11-207, Annotated Code of Maryland*

#### **.01 Purpose and Scope.**

A. This chapter sets forth requirements for institutions of higher education in the State for:

- (1) Admission of transfer students to public institutions;
- (2) The transfer of courses and awarding of credit for transferred courses; and
- (3) Collaboration and communication between institutions on issues relating to transfer.

B. This chapter is intended to:

- (1) Maximize the transferability of courses to:
  - (a) Support timely completion of academic programs by transfer students;
  - (b) Minimize the need for transfer students to repeat coursework completed at a previous institution; and
  - (c) Limit the financial burden on transfer students;
- (2) Foster collaboration and communication between institutions regarding proposed academic program changes that could impact the efficacy of transferring courses and credits;
- (3) Establish a process and timeline for institutional review of a denial of a course or credit transfer; and
- (4) Make public and easily accessible all policies and procedures regarding transfer students and the transfer of courses and credits.

C. This chapter is not intended to affect a student's eligibility for and use of federal financial aid and nothing in this chapter shall be construed in a manner that would prevent a student from being eligible for or using federal financial aid.

D. Except for Regulations .02 and .13A—H of this chapter, this chapter applies only to public institutions of higher education.

#### **.02 Definitions.**

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) **Academic Credit.**

(a) "Academic credit" or "credit" means the certification by the Registrar of a student's successful completion of a course leading to a formal award granted by an institution of higher education.

(b) "Academic credit" or "credit" does not include credit awarded for remedial education.

(2) "Articulation agreement" means a written agreement for the awarding of credit by an institution of higher education for the completion of coursework or prior learning at another institution or entity.

(3) "Credit for prior learning" means credit granted to a student from an institution of higher education for experiential learning or a nationally recognized standardized examination that has been assessed by the institution to be the equivalent of learning gained through formal collegiate instruction.

(4) "Commission" means the Maryland Higher Education Commission.

(5) "Course" means a collection of lessons that is intended to meet specific learning objectives and is measured in academic credits.

(6) "Course Transfer Agreement" means an articulation agreement regarding the award of credit by a receiving institution for courses completed at the sending institution that are not specific to the completion of an academic program at the receiving institution.

(7) "Cumulative grade point average" means the average of grades received for completed coursework at an institution.

(8) "First-time student" means a student who:

(a) Has earned a high school diploma or equivalent; and

(b) Has not earned any college credit from an institution of higher education subsequent to earning the high school diploma or equivalent.

(9) "First-time student with advanced standing" means a first-time undergraduate student who earned college credit from an institution of higher education prior to earning a high school diploma or equivalent.

(10) **General Admission.**

(a) "General admission" means admission to enroll as an undergraduate student at an institution of higher education.

(b) "General admission" does not include admission to a specific degree or certificate program.

(11) "General education requirement" means an institutional requirement under COMAR 13B.06.01.03.

(12) "Institution of higher education" has the meaning stated in Education Article, §10-101, Annotated Code of Maryland.

(13) "Institution of postsecondary education" has the meaning stated in Education Article, §10-101, Annotated Code of Maryland.

(14) "Learning outcome" or "learning objective" means a description of the knowledge, skills, competencies, or expertise that a student is expected to obtain, exhibit, or meet upon the successful completion of a specific course or program.

(15) "Non-transfer student" means an undergraduate student who attends the same institution of higher education at which they initially enrolled and has not enrolled in a course of study at another institution of higher education since that initial enrollment.

(16) "Prior Learning Transfer Agreement" means an articulation agreement for a receiving institution to award academic credit for demonstrated proficiency, a satisfactory score on a specific assessment, applied experience, or other learning experience completed at an institution of postsecondary education or other entity.

(17) "Program" or "academic program" means a structured and coherent course of study with clearly defined learning objectives and intended student learning outcomes, leading to the award of a certificate or degree, that requires the completion of a specified number of course credits from among a prescribed group of general education, elective, and discipline-specific courses.

(18) "Program Transfer Agreement" means an articulation agreement between a receiving institution and a sending institution that sets forth the course and other degree requirements within a single bachelor's degree program offered by the receiving institution that may be completed at the sending institution.

(19) "Receiving institution" means the institution of higher education to which a student desires to transfer courses and credits.

(20) "Secretary" means the Secretary of Higher Education.

(21) "Sending institution" means an institution of higher education at which a student was previously enrolled and earned academic credit.

(22) "Transfer student" means an undergraduate student entering an institution for the first time, after earning a high school diploma or equivalent, who has successfully completed at least one course at another institution of higher education that is transferable to the institution the student is enrolling in.

### **.03 Institutional Policies and Responsibilities.**

A. An institution shall establish written policies and procedures for transfer between public institutions that are consistent with this chapter.

B. The policies and procedures established under §A of this regulation shall address, at a minimum:

(1) Information sharing and communication between institutions;

(2) Availability of information to students and the public;

(3) Admission of transfer students to the institution;

(4) Admission of transfer students into specific academic programs;

(5) Number of credits that may transfer and the application of credits to program requirements;

(6) Transfer of general education courses and credits;

(7) Processes and standards for the evaluation of individual course equivalencies and credit for prior learning;

(8) Processes for the establishment of course transferability, including, but not limited to, Program Transfer Agreements and other articulation agreements;

(9) Process for individual students to request credit and course transfer; and

(10) The roles of the institutional transfer coordinator and other faculty and staff.

C. All policies and procedures established under this chapter shall ensure:

(1) Equitable treatment of non-transfer students, first-time students with advanced standing, and transfer students;

(2) That the evaluation of courses and credits for transfer maximizes the amount of credit awarded to a student;

(3) That students are not required to repeat equivalent coursework successfully completed at a sending institution; and

(4) That all information regarding transfer is available to other institutions, students, and the public.

D. Applicability of Policies to Students from Private and Out-of-State Institutions. Institutions are encouraged to use the standards set forth in Regulations .07—.11 of this chapter and the process set forth in Regulation .14D of this chapter to evaluate the transfer of courses and credits that were completed at a private or out of state institution of higher education.

E. Transfer Coordinators.

(1) An institution of higher education shall designate at least one transfer coordinator, who:

(a) Serves as a resource person to students seeking to transfer courses and credits;

(b) Is responsible for coordinating the application of the policies and procedures established under §A of this regulation; and

(c) Is responsible for overseeing the process in Regulation .14 of this chapter for the evaluation of student transfer requests.

(2) A transfer coordinator is not responsible for evaluating individual course equivalencies or credit for prior learning under Regulations .10 and .11 of this chapter.

**.04 Coordination between Institutions and Segments.**

A. Information for Students and the Public. Institutions shall collaborate to develop and provide to students and the public current, accurate, and consistent information on transfer that is consistent with this chapter.

B. Changes to Curriculum.

(1) When considering any curricular change, including non-substantial modifications to existing programs and changes to individual courses, an institution shall, at the earliest possible time, discuss any changes that might affect transfer students with all applicable public institutions.

(2) For curricular changes that are substantial modifications under COMAR 13B.02.03 and for new programs, an institution shall:

(a) Follow the procedures set forth in COMAR 13B.02.03.19; and

(b) Within 60 days of approval by the Commission, update all relevant student information.

(3) After making non-substantial modifications to existing programs, changes to individual courses, or other curricular changes that do not require Commission approval, institutions shall, within 60 days of the change:

(a) Update all articulation agreements affected by the change;

(b) Provide notification of the curricular change to any other applicable institutions of higher education; and

(c) Update all relevant student information.

C. Establishment of Transferability. Institutions shall collaborate to establish transferability of courses and credits by entering into Program Transfer Agreements, Course Transfer Agreements, or Prior Learning Transfer Agreements whenever possible.

D. Uniform Policies. Institutions and Segments shall coordinate to create uniform policies and procedures when practicable.

E. Student Transfer Advisory Committee. The Secretary shall convene a permanent Student Transfer Advisory Committee that meets regularly to review and provide recommendations on issues relating to student transfer and any matters referred by the Secretary.

**.05 Information for Students.**

A. All Institutions.

(1) An institution shall ensure that all articulation agreements and all information pertaining to transfer students and the transfer of courses and credits are:

(a) Written in language that is clear and explicit;

(b) Comprehensive, accurate, and regularly updated; and

(c) Available to prospective transfer students in course catalogs and other publicly accessible sources.

(2) Student information shall include, at a minimum:

(a) Admissions requirements for transfer students at public senior higher education institutions;

(b) Curriculum prerequisites at receiving institutions;

(c) Information about Program Transfer Agreements;

(d) Information about other articulation agreements and sources of established course and credit transferability;

(e) Transferability of general education courses;

(f) Transferability of individual courses;

(g) Credit transfer limits; and

(h) The credit transfer process, including:

(i) How to make a transfer evaluation request; and

(ii) The standards that are used to determine course and credit equivalency.

(3) Institutions shall:

(a) Promptly inform students of changes to admissions requirements, academic program requirements, or any of the other information above; and

(b) Notify students that:

(i) Students are accountable for the loss of credits resulting from changes to the student's academic program; and

(ii) Credits earned for remedial course work are not transferable.

(4) Institutions shall encourage all prospective transfer students to complete an associate's degree.

B. Community Colleges. Community colleges shall encourage their students to select, as early as possible, the institution and academic program into which they desire to transfer.

**.06 Admission of Transfer Students.**

A. General Admission to Public Institutions.

(1) General admission of a transfer student to an institution under §§A(2) and (3) of this regulation does not guarantee admission into a specific degree or certificate program at that institution.

(2) Except as provided in §A(4) of this regulation, a student transferring from a public institution may not be denied general admission to another public institution if the student:

(a) Has completed an associate's degree or at least 60 credit hours; and

(b) Attained a cumulative grade point average of at least 2.0 on a 4.0 scale or its equivalent at the sending institution.

(3) A student transferring from a public institution who has not completed an associate's degree or at least 60 credit hours is eligible for general admission to another public institution if the student:

(a) Satisfies the same admission criteria as a non-transfer student at the receiving public institution; and

(b) Attained a cumulative grade point average of at least 2.0 on a 4.0 scale or its equivalent at the sending institution.

(4) If the number of students seeking admission exceeds the number that can be accommodated at a receiving public institution, admission decisions for transfer students shall:

(a) Be based on criteria developed by the receiving institution that is publicly available and easily accessible on the institution's website; and

(b) Maintain fair and equitable treatment for non-transfer students, transfer students, and first-time students with advanced standing.

**B. Admission to Specific Academic Programs.**

(1) A receiving public institution may require additional admission requirements to a specific degree or certificate program.

(2) The standards for admission to the program shall:

(a) Be based on criteria developed by the receiving public institution that is publicly available and easily accessible on the institution's website; and

(b) Maintain fair and equitable treatment for non-transfer students, transfer students, and first-time students with advanced standing.

**.07 Transfer of Courses and Credits Generally.**

A. A receiving institution shall accept for transfer and award credit for a course or credit completed at a sending institution if:

(1) The course is transferable under §B of this regulation; and

(2) The acceptance of and awarding of credit for the completed course or credit is consistent with the requirements of this chapter.

**B. Transferability.**

(1) General education courses required under COMAR 13B.06.01 are transferable as set forth in Regulation .09 of this chapter.

(2) An individual course that is not being applied toward a general education requirement is transferable if:

(a) The course is deemed equivalent to a course at the receiving institution under the standards set forth in Regulation .10 of this chapter; or

(b) The course is part of a Program Transfer Agreement.

(3) Credit for prior learning is transferable if deemed equivalent using the standards set forth in Regulation .11 of this chapter.

(4) Establishment of Transferability by Institutions.

(a) Whenever practicable, the transferability of courses or credits shall be established via Program Transfer Agreement or other mechanism consistent with Regulation .12 of this chapter.

(b) Documents establishing course equivalencies and course and credit transferability shall be publicly available and easily accessible for students and the public.

**C. Awarding of Credit toward Academic Program Requirements.**

(1) A receiving institution's award of credit for a transferred course or credit may be applied toward any academic program requirement at the receiving institution, regardless of the program requirement that the course fulfilled at the sending institution,

(2) The award of credit for a transferred course or credit may be applied toward multiple program requirements at the receiving institution consistent with the institution's policies for non-transfer students.

**.08 Number of Credits Accepted for Transfer.**

A. Required Award of Credit by Public Senior Higher Education Institution for Courses Completed at Community College.

(1) Except as provided in §A(2) of this regulation and subject to §C of this regulation, a public senior higher education institution in the State shall accept for transfer at least 60, but not more than 70, credits that were earned toward an associate's degree at any community college in the State.

(2) A Program Transfer Agreement between a community college and a public senior higher education institution may allow for the transfer of more than 70 credits earned at the community college.

B. Required Award of Credit by Community College for Courses Completed at Public Senior Higher Education Institution.

(1) Subject to §C of this regulation, a community college shall accept for transfer at least 30, but not more than 45, credits that were earned at any public senior higher education institution in the State.

(2) A student may transfer credit under §B(1) of this regulation without enrolling in the community college if:

(a) The student earned at least 15 credits at the community college prior to attending the public senior higher education institution from which they desire to transfer credit; and

(b) The transfer of the credits will satisfy all remaining requirements to receive an associate's degree from the community college.

C. *Awarding and Application of Credit by Receiving Institution.* An institution accepting the transfer of completed courses and credits under §§A or B of this regulation shall award credit for those courses and apply the awarded credit toward academic program requirements as follows.

(1) For any course determined to be equivalent to a course at the receiving institution under this chapter, credit shall be awarded for the equivalent course.

(2) Credit awarded for an equivalent course shall be applied toward any general education, elective, major, or other program requirement that the course would fulfill for a non-transfer student.

(3) For any completed course that has no equivalent at the receiving institution, if the student earned a passing grade in the course at the sending institution, general credit or discipline-specific credit shall be awarded, as appropriate.

(4) Credit awarded for a course with no equivalent at the receiving institution may be applied toward any general education or elective requirement, if the institution has a written, publicly available policy regarding such an application that ensures the equitable treatment of all transfer students.

#### **.09 Transfer of General Education Courses.**

A. A receiving institution shall accept for transfer any completed course that fulfilled a general education requirement at the sending institution.

B. Credit for a general education course completed at a sending institution shall be applied toward any general education requirement in the same core area at the receiving institution to which it was applied at the sending institution, regardless of whether an equivalent course exists at the receiving institution.

C. Credit for any completed course that fulfills any general education requirement at the sending institution, that cannot be applied pursuant to §B of this regulation, shall be applied toward any elective within the general education requirements at the receiving institution, regardless of whether an equivalent course exists at the receiving institution.

#### **.10 Evaluation of Individual Course Equivalencies.**

A. *Equivalency Standard.*

(1) A receiving institution shall accept a course or combination of courses completed at a sending institution for transfer when the receiving institution determines that at least 70 percent of the course learning objectives of the course or combination of courses completed at the sending institution are equivalent to the course learning objectives of a course or combination of courses at a receiving institution.

(2) An institution may not use any other standard or method of determining the equivalency of an individual course or combination of courses at a sending institution to a course or combination of courses at a receiving institution, other than the standard set forth in §A(1) of this regulation.

(3) An institution may not consider the course numbers or levels assigned to the sending or receiving institution's course or combination of courses when making a determination under §A(1) of this regulation.

B. Equivalencies shall be determined by faculty who are subject matter experts and may not be determined by non-academic staff.

C. An equivalent course shall only be transferred if the grade achieved at the sending institution for the completed course is the same or higher than the grade required for a non-transfer student in the equivalent course at the receiving institution.

D. The number of credits awarded to the student by the receiving institution for a course or combination of courses deemed equivalent under this regulation may not be less than the number of credits earned for that course or combination of courses at the sending institution.

E. An institution shall include in the policies and procedures established under Regulation .03 of this chapter the process the institution will use for the evaluation of course learning objective equivalencies.

#### **.11 Transfer of Previously Awarded Credit for Prior Learning.**

A. Transfer by a receiving institution of previously awarded credit for prior learning, whether credit by exam, for nationally recognized standardized examination scores, or experiential learning, shall be:

(1) Evaluated using the same standards that apply to the awarding of credit for prior learning to non-transfer students at the receiving institution;

(2) Indicated on the student's transcript at the receiving institution, including the basis for awarding the credit for prior learning; and

(3) Consistent with COMAR 13B.02.02.16H.

*B. Equivalency for prior learning which has no explicit course equivalency, such as experiential learning, shall be established by the receiving institution using the same validation procedures for evaluating specific learning outcomes that are used for non-transfer students at the institution.*

**.12 Establishment of Transferability.**

- A. Institutions may establish transferability of courses and credits through:*
- (1) A Program Transfer Agreement, as set forth in Regulation .13 of this chapter;*
  - (2) A Course Transfer Agreement or Prior Learning Transfer Agreement;*
  - (3) A list of courses that have already been evaluated and deemed equivalent under Regulation .10 of this chapter; or*
  - (4) Any other mechanism that enables a student to determine, prior to registering for a course at a sending institution, whether the course will transfer to a specific receiving institution.*
- B. Institutions shall, to the fullest extent possible, systematically establish the transferability of courses and credits to facilitate maximum transferability of courses and credits and support degree planning for students.*
- C. All articulations agreements, lists, and other information that establishes transferability shall be:*
- (1) Published in a central location that is easily accessible for students and the public; and*
  - (2) Reviewed to ensure accuracy on a regular basis, but no less than once a year.*
- D. Any information regarding the transferability of the course that is publicly available in an institutional source at the time of a student's transfer evaluation request shall be honored by the institution.*

**.13 Program Transfer Agreements.**

- A. Except for §§I and J of this regulation, this regulation applies to all institutions of higher education operating in the State.*
- B. Institutions are encouraged to leverage the use of Program Transfer Agreements to facilitate the transparent, seamless, and equitable transfer of a student from a sending institution into a specific academic program at a receiving institution.*
- C. A Program Transfer Agreement between two institutions of higher education in the State shall specify:*
- (1) The course(s) at the sending institution, including any minimum grade required in the course(s), that will be accepted for transfer to fulfill each degree requirement within the academic program at the receiving institution;*
  - (2) Any other degree requirements, including, but not limited to, internships and other experiential learning, that may be completed at the sending institution; and*
  - (3) If the receiving institution will accept for transfer any credit for prior learning awarded by the sending institution.*
- D. A Program Transfer Agreement may also include provisions regarding:*
- (1) Procedures for admissions, registration, and advising;*
  - (2) Access to student services, including financial aid;*
  - (3) Cost of tuition; and*
  - (4) Any other information that may facilitate the transfer of academic credit from the sending institution to the receiving institution.*
- E. A Program Transfer Agreement may have more than one sending institution and more than one receiving institution.*
- F. A Program Transfer Agreement shall be signed by the president, executive director, chief academic officer, or equivalent designee of each institution that is a party to the agreement.*
- G. A final, signed copy of a Program Transfer Agreement shall be deposited with the Commission no more than 30 days after all institutions have signed the agreement.*
- H. Each institution that is a party to a Program Transfer Agreement shall include the full agreement in their course catalog, on their website, and in other publicly accessible sources.*
- I. A transfer student at a public institution shall be provided the same opportunity as a non-transfer student at the same institution to pursue the program requirements that were in effect at the time that the transfer student enrolled at the sending institution, provided the student has been continuously enrolled and has fulfilled the requirements of the corresponding Program Transfer Agreement.*
- J. A public institution of higher education may not deny the transfer of any course that is set forth in a publicly available version of a Program Transfer Agreement.*

**.14 Evaluation and Review Process for Transfer of Courses and Credits**

- A. Purpose. The purpose of the evaluation and review process is to maximize the courses and credits accepted for transfer by a receiving institution.*
- B. Transfer Evaluation Request by Student.*
- (1) A current or prospective transfer student who desires to transfer courses or credits from a prior institution of higher education to a receiving institution shall submit to the receiving institution a request to conduct an evaluation of official transcripts and other relevant materials.*

(2) The request shall be in the form and manner required by the receiving institution and shall identify each completed course and each credit awarded for prior learning that the student desires to transfer to the receiving institution.

*C. Timing of Evaluation by Receiving Institution.*

(1) Except as set forth in §C(2) of this regulation, in response to a complete request submitted under §B of this regulation, a receiving institution shall conduct and complete an evaluation of the student's official transcripts and other relevant materials no later than 20 business days after receipt of the official transcripts.

(2) If the official transcripts are received more than 30 business days before the start of the student's first semester at the receiving institution, the evaluation shall be conducted and completed no later than 10 business days prior to the start of the student's first semester.

*D. Evaluation of Course and Credit Transfer by Receiving Institution.*

(1) In accordance with §§D(2) and (3) of this regulation, a receiving institution shall evaluate each completed course or credit in a transfer evaluation request to determine:

(a) First, if the course or credit is transferable; and

(b) Second, the academic program requirement(s) to which a transferable course or credit will be applied.

(2) Transferability.

(a) The transferability of the course or credit shall be evaluated by determining:

(i) If the transferability of the course or credit has been established in a Program Transfer Agreement, other transfer agreement, course equivalency list, or other institutional publication;

(ii) If the course fulfilled a general education course at the sending institution;

(iii) If, under the standard in Regulation .10 of this chapter, as determined by an appropriate academic staff member, the course is equivalent to a course at the receiving institution; or

(iv) If, under the standard in Regulation .11 of this chapter, as determined by an appropriate academic staff member, the credit is equivalent to credit for prior learning at the receiving institution.

(b) A course that is not transferable under §D(2)(a) shall be denied.

(3) Application of Credit.

(a) In accordance with Regulation .08C of this chapter, and consistent with the standards set forth in this chapter and the institutional policies and procedures established under Regulation .03 of this chapter, each course or credit accepted for transfer shall be evaluated to determine if it fulfills:

(i) A general education requirement;

(ii) A requirement of the student's academic program;

(iii) An elective requirement;

(iv) Any other institutional or program requirement; or

(v) Two or more of the requirements in §§D(3)(a)(i)–(iv) of this regulation.

(b) If the number of credits assigned to all transferable courses and credits exceeds the limits set forth in Regulation .08 of this chapter, the courses that are not accepted for transfer shall be:

(i) Determined after evaluating the application of credit under §D(3)(a) of this regulation; and

(ii) Selected to minimize the number of courses a student will need to take at the receiving institution to complete a degree.

*E. Transfer Evaluation Report.*

(1) No later than the applicable deadline set forth in §C of this regulation, a receiving institution shall issue a Transfer Evaluation Report to inform a student in writing of the outcome of the evaluation.

(2) The Transfer Evaluation Report shall include, for each course and credit requested for transfer:

(a) If the course or credit has been accepted for transfer or denied; and

(b) For each course and credit accepted for transfer:

(i) The basis for transferability; and

(ii) The program requirement(s) it fulfills under §D(3) of this regulation;

(c) For each course or credit denied because it is not transferable, a clear and detailed explanation of the reason for the denial;

(d) For each course or credit denied because the total number of transferable credits exceeded the limits set forth in Regulation .08 of this chapter, a clear and detailed explanation of the basis for the determination of which transferable course(s) or credit(s) were denied;

(e) If any course or credit is denied, a statement explaining that all course and credit transfer denials will be reviewed by the sending institution, in conjunction with the receiving institution, without further action on the part of the student; and

(f) The name, title, email address, and phone number of the individual at the receiving institution who the student can contact with questions.

(3) A copy of the Transfer Evaluation Report shall be provided to all sending institutions simultaneously with the issuance of the report to the student.

*F. Receiving Institution Transcript.* As soon as possible after acceptance of a course or credit for transfer, the receiving institution shall ensure that the student's transcript reflects the credits awarded.

*G. Review of Denials by Sending Institution.*



(1) *If any course or credit is denied, the sending institution, in conjunction with the receiving institution, shall conduct an evaluation to review each denial of a course or credit.*

(2) *The transfer coordinator or institutional designee of the sending institution shall conduct the evaluation in accordance with §D of this regulation.*

(3) *The evaluation shall be completed, and a copy of the sending institution's analysis shall be provided to the receiving institution, no later than 20 business days after receipt of the Transfer Evaluation Report.*

(4) *The sending institution's analysis shall indicate, for each course or credit denied by the receiving institution, whether the sending institution agrees or disagrees with the receiving institution's evaluation and rationale.*

(5) *Meeting Between Sending and Receiving Institutions.*

(a) *The sending and receiving institutions shall meet to discuss the analyses no later than 20 business days after the sending institution's analysis is provided to the receiving institution.*

(b) *During the meeting, the institutions shall review and discuss each course or credit denial determination with which the sending institution disagrees.*

(c) *The meeting may be held via phone or video conference.*

(d) *Waiver.*

(i) *For good cause, a sending institution may request that the Secretary waive the meeting requirement for any individual review.*

(ii) *A request for a waiver shall be made, in writing, with a copy to the receiving institution, no later than 5 business days of providing the analysis to the receiving institution.*

(iii) *The Secretary shall approve or deny a request for a waiver of the meeting within 10 business days of receipt.*

(6) *No later than 10 business days after the meeting, a sending institution shall provide to the receiving institution:*

(a) *A revised version of the sending institution's analysis; or*

(b) *Written notification that no revisions to the sending institution's analysis are necessary.*

*H. Final Determination by Receiving Institution.*

(1) *No later than 10 business days after receipt of a revised analysis from the sending institution or a notification under §G(6) of this regulation, the receiving institution shall provide to the student:*

(a) *A Revised Transfer Evaluation Report; or*

(b) *Written notification that the review process has not resulted in any changes to the Transfer Evaluation Report.*

(2) *The decision arising out of the review process regarding the transferability of courses and credits under §D(2) constitutes the final decision of the receiving institution and is not subject to appeal.*

*I. Records.*

(1) *A receiving institution shall keep records of all denied courses and credits, including but not limited to, the Transfer Evaluation Report, the sending institution analysis, any revisions to the sending institution analysis, and any Revised Transfer Evaluation Report, for at least five years after the student ceases enrollment at the institution or two years after the student completes a bachelor's degree, whichever is earlier.*

(2) *An institution shall annually report to the Commission, in a form prescribed by the Commission, each denial of a course or credit transfer, including the reason for each denial.*

## **Subtitle 07 COMMUNITY COLLEGES**

### **13B.07.02 General Regulations and Policies for Community Colleges**

Authority: Education Article, Titles 11, 15, and 16, Annotated Code of Maryland

#### **.01 Admission and Transfer of Students.**

A. A college shall adhere to the:

(1) (text unchanged)

(2) Transfer requirements set forth in COMAR [13B.06.01] 13B.06.02.

B.—C. (text unchanged)