

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>
	06/22/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

**1. Desired date of publication in Maryland Register: 8/5/2016**

**2. COMAR Codification**

**Title Subtitle Chapter Regulation**

13B 06 01 .02, .02-1, .04-.08

**3. Name of Promulgating Authority**

Maryland Higher Education Commission

**4. Name of Regulations Coordinator**

Tonya L Johnson

**Telephone Number**

410-767-3312

**Mailing Address**

6 N. Liberty St., 10th Floor

**City State Zip Code**

Baltimore MD 21201

**Email**

tjohnson@mhec.state.md.us

**5. Name of Person to Call About this Document**

Tonya L Johnson

**Telephone No.**

410-767-3312

**Email Address**

tonyal.johnson@maryland.gov

**6. Check applicable items:**

☐ New Regulations

☒ Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: 6/21/16.

☐ 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 ☒ 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**

☒ 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 Mark Blom, Assistant Attorney General, (telephone #410-767-3311) on 6/22/16. A written copy of the approval is on file at this agency.

**Name of Authorized Officer**

Mark Blom

**Title**

Assistant Attorney General

**Telephone No.**

410-767-3311

**Date**

6/22/16

**Title 13B**  
**B MARYLAND HIGHER EDUCATION COMMISSION**  
**Subtitle 06 GENERAL EDUCATION AND TRANSFER**

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

Authority: Education Article, §§10-205, 11-105(b)(9), 11-105 (u), and 11-201, Annotated Code of Maryland

**Notice of Proposed Action**

[]

The Maryland Higher Education Commission proposes to amend Regulation .02, .02-1, .04-.08 under COMAR 13B.06.01 Public Institutions of Higher Education.

This action was considered by the Commission at an open meeting held on June 16, 2016, notice of which was given as required by the State Government Article, §10-506(c), Annotated Code of Maryland.

**Statement of Purpose**

The purpose of this action is to update regulations relating to general education and transfer.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**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 Geoffrey Newman, Assistant Secretary of Finance and Administration, Maryland Higher Education Commission, 6 N Liberty Street, 10th Floor, Baltimore, MD 21201, or call 410-767-3085, or email to [geoff.newman@maryland.gov](mailto:geoff.newman@maryland.gov), or fax to 410-332-0270. Comments will be accepted through 9/5/16. A public hearing has not been scheduled.

## Economic Impact Statement Part C

- A. Fiscal Year in which regulations will become effective: FY 2017
- 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:  
Funds are not needed.
- E. If these regulations have no economic impact under Part A, indicate reason briefly:  
These regulations pertain to general education provided at and/or student transfer between colleges and universities.
- 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 pertain to general education provided at and/or student transfer between colleges and universities.
- G. Small Business Worksheet:

Attached Document:

---

## Title 13B

# MARYLAND HIGHER EDUCATION COMMISSION

## SUBTITLE 06 GENERAL EDUCATION AND TRANSFER

### Chapter 01 Public Institutions of Higher Education

#### .02 Definitions.

- A. In this chapter, the following terms have the meanings indicated.
- B. Terms defined.
- (1)—(2) (text unchanged)
- (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.*
- [(3)] (5) "Arts" means courses that examine aesthetics and the development of the aesthetic form and explore the relationship between theory and practice. [Courses in this area may include fine arts, performing and studio arts, appreciation of the arts, and history of the arts.]
- [(4)] (6) "A.S. degree" means the Associate of Sciences degree.
- (7) *"A.S.E. degree" means the Associate of Science in Engineering degree.*
- [(5)] (8) "Biological and physical sciences" means courses that examine living systems and the physical universe. They introduce students to the variety of methods used to collect, interpret, and apply scientific data, and to an understanding of the relationship between scientific theory and application.
- (9) *"Cumulative grade point average" means the average of grades received for completed coursework at all institutions attended.*

[(6)] (10) "English composition courses" means courses that provide students with communication knowledge and skills appropriate to various writing situations, including intellectual inquiry and academic research.

[(7)] (11) "General education" means the foundation of the higher education curriculum providing a coherent intellectual experience for all students.

[(8)] (12) "General education program" means a program that is designed to:

(a)—(c) (text unchanged)

[(9)] (13) "Humanities" means courses that examine the values and cultural heritage that establish the framework for inquiry into the meaning of life. [Courses in the humanities may include the language, history, literature, and philosophy of Western and other cultures.]

[(10)] (14) "Mathematics" means courses that provide students with numerical, analytical, statistical, and problem-solving skills.

[(11)] (15) "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.

[(12)] (16) "Parallel program" means the program of study or courses at one institution of higher education which 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.

[(13)] (17) "Receiving institution" means the institution of higher education at which a transfer student currently desires to enroll.

[(14)] (18) "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 [2 years] *half* of the baccalaureate degree.

(19) "*Reverse transfer agreement*" means a statewide agreement whereby up to 45 credits that a student earns at any public four-year 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.

[(15)] (20) "Sending institution" means the institution of higher education of most recent previous enrollment by a transfer student at which transferable academic credit was earned.

[(16)] (21) "Social and behavioral sciences" means courses that [examine the psychology of individuals and the ways in which individuals, groups, or segments of society behave, function, and influence one another] *are concerned with the examination of society and the relationships among individuals within a society*. [The courses include, but are not limited to, subjects which focus on:

- (a) History and cultural diversity;
- (b) Concepts of groups, work, and political systems;
- (c) Applications of qualitative and quantitative data to social issues; and
- (d) Interdependence of individuals, society, and the physical environment.]

[(17)] (22) "Transfer student" means a student entering an institution for the first time having successfully completed a minimum of 12 semester hours at another institution [which is] *that are* applicable for credit at the institution the student is entering.

## **.02-1 Admission of Transfer Students to Public Institutions.**

### **A. Admission to Institutions and Programs.**

(1) A student attending a public institution who has completed an [A.A., A.A.S., or A.S.] *associate's degree* [or who has completed 56 or more semester hours of credit,] may not be denied direct transfer to another public institution if the student attained a cumulative grade point average of at least 2.0 on a 4.0 scale or its equivalent in parallel courses, [except as provided in §A(4) of this regulation] *provided there is space available and, where applicable, the student has met any additional program admission requirements. The receiving institution shall publish application and admission data from the most recent admission cycle on the institution's website.*

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

- i. Based on criteria developed and published by the receiving public institution; and*
- ii. Made to provide fair and equal treatment for native and transfer students.*

(b) *A receiving public institution may require higher performance standards for admission to some programs if the standards and criteria for admission to the program:*

- i. Are developed and published by the receiving public institution; and*
- ii. Maintain fair and equal treatment for native and transfer students.*

(c) *If the number of students seeking admission exceeds the number that can be accommodated in a particular professional or specialized program, admission decisions shall be:*

- i. Based on criteria developed and published by the receiving public institution; and*
- ii. Made to provide fair and equal treatment for native and transfer students.*

(2) A student attending a public institution who has not completed an [A.A., A.A.S., or A.S.] *associate's degree* [or who has completed fewer than 56 semester hours of credit,] is eligible to transfer to a public institution regardless of the number of credit hours earned if the student:

(a) Satisfied the admission criteria of the receiving public institution as a high school senior; [and]  
(b) Attained at least a cumulative grade point average of 2.0 on a 4.0 scale or its equivalent; [in parallel courses.] *and*

(c) *Where applicable, the student has met any additional program admission requirements.*

(3) (text unchanged)

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

(a) Based on criteria developed and published by the receiving public institution; and

(b) Made to provide fair and equal treatment for native and transfer students.

**B. Admission to Programs.**

(1) A receiving public institution may require higher performance standards for admission to some programs if the standards and criteria for admission to the program:

(a) Are developed and published by the receiving public institution; and

(b) Maintain fair and equal treatment for native and transfer students.

(2) If the number of students seeking admission exceeds the number that can be accommodated in a particular professional or specialized program, admission decisions shall be:

(a) Based on criteria developed and published by the receiving public institution; and

(b) Made to provide fair and equal treatment for native and transfer students.

(3) Courses taken at a public institution as part of a recommended transfer program leading toward a baccalaureate degree shall be applicable to related programs at a receiving public institution granting the baccalaureate degree.]

**[C.] B. Receiving Institution Program Responsibility.**

(1) (text unchanged)

(2) A receiving public institution may set program requirements in major fields of study [which] *that* simultaneously fulfill general education requirements.

(3) (text unchanged)

(4) *A receiving public institution shall ensure that any changes to program standards and criteria for admission and the transfer of credits maintain the fair and equal treatment of native and transfer students, and are communicated in a timely manner.*

**.04 Transfer of General Education Credit.**

A.—D. (text unchanged)

E. Except as provided in Regulation .03M of this chapter, a receiving institution may not require a transfer student who has completed the requisite number of general education credits at any public college or university to take, as a condition of graduation, more than 10----[16] 18 additional semester hours of general education and specific courses required of all students at the receiving institution, with the total number not to exceed 46 semester hours. This provision does not relieve students of the obligation to complete specific academic program requirements or course prerequisites required by a receiving institution.

[F. A sending institution shall designate on or with the student transcript those courses that have met its general education requirements, as well as indicate whether the student has completed the general education program.]

*F. A Maryland community college shall accept 28 - 36 credits of general education as specified in § C of Regulation .03 of this chapter as completion of the general education requirements at the community college, without further review or the need for a course-by-course match.*

*G. All public institutions shall designate on or with the student transcript those courses that have met its general education requirements, as well as indicate whether the student has completed the general education program.*

[G] H. A.A.S. and A.F.A. Degrees.

(1) While there may be variance in the numbers of hours of general education required for A.A., A.S., [and] A.A.S., and A.F.A. degrees at a given institution, the courses identified as meeting general education requirements for all degrees shall come from the same general education course list and exclude technical or career courses.

(2) An A.A.S. or A.F.A. student who transfers into a receiving institution with fewer than the total number of general education credits designated by the receiving institution shall complete the difference in credits according to the distribution as designated by the receiving institution. Except as provided in Regulation .03M of this chapter, the total general education credits for baccalaureate degree-granting public receiving institutions may not exceed 46 semester hours.

[H.] I. Student Responsibilities. A student is held:

(1) (text unchanged)

(a)—(c) (text unchanged)

(2) (text unchanged)

**.05 Transfer of [Nongeneral Education Program] Other Credit.**

A. Transfer of Credit to Another Public Institution.

(1) *Courses taken at a public institution as part of a recommended transfer program leading toward a baccalaureate degree shall be applicable to related programs at the receiving public institution granting the degree if*

*successfully completed in accordance with the receiving institution's policies governing native students in the same program.*

*(2) Students earning an A.A.S. or A.F.A. degree shall have their credits evaluated in a manner that maximizes the transfer of articulated and elective credit.*

[(1)] (3) Credit earned at any public institution in the State is transferable to any other public institution if the:

(a)—(c) (text unchanged)

[(2)] (4) If a native student's "D" grade in a specific course is acceptable in a program, then a "D" earned by a transfer student in the same course at a sending institution is also acceptable in the program. Conversely, if a native student is required to earn a grade of "C" or better in a required course, the transfer student shall also be required to earn a grade of "C" or better to meet the same requirement.

*(5) If a community college has a request and signed waiver from a student for reverse transfer, the 4 year institution must provide an official electronic transcript to the community college at the college's request with no charge to the student or college.*

B. Unless otherwise specified in an articulation agreement, [C]credit earned in or transferred from a community college is limited to:

(1) (text unchanged)

(2) The [first 2 years] *equivalent of the first half* of the undergraduate education experience.

C. Nontraditional Credit.

(1) (text unchanged)

(2) Transfer of credit from the following areas shall be consistent with COMAR 13B.02.02. and shall be evaluated by the receiving institution on a course-by-course basis *according to the same standards that apply to native students at the receiving institution*:

(a) Technical courses from career programs;

(b) Course credit awarded through articulation agreements with other segments or agencies[;], *including course credit awarded by articulation with Maryland public secondary schools. To facilitate the transfer of credits, articulation agreements should be developed in collaboration with all public institutions*;

(c) Credit awarded for clinical practice or cooperative education experiences; [and]

(d) Credit awarded for life and work experiences[.]; *and*

(e) *Credit awarded for military training, coursework and education.*

(3)—(5) (text unchanged)

D. Program Articulation.

(1) Recommended transfer programs shall be developed through [consultation] *collaboration* between the sending and receiving institutions. A recommended transfer program represents an agreement between the two institutions that allows students aspiring to the baccalaureate degree to plan [their programs] *for seamless transfer*. These programs constitute freshman/sophomore level course work to be taken at the community college in fulfillment of the receiving institution's lower division course work requirement.

(2) (text unchanged)

## **.06 Academic Success and General Well-Being of Transfer Students.**

A. Sending Institutions.

(1) Community colleges shall encourage their students to complete the associate degree [or to complete 56 hours] in a recommended transfer program [which] *that* includes both general education courses and courses applicable toward the program at the receiving institution.

(2) (text unchanged)

(3) The sending institution shall:

(a) Provide to community college students information about the specific transferability of courses *and programs* [at] *to* 4-year colleges;

(b)—(c) (text unchanged)

B. Receiving Institutions.

(1)—(2) (text unchanged)

(3) A receiving institution shall evaluate the transcript(s) of a degree-seeking transfer student as expeditiously as possible, and notify the student of the results [not later than mid-semester of the student's first semester of enrollment at the receiving institution, if all official transcripts have been received at least] *within* [15] 20 working days [before mid-semester.] *of the receipt of all official transcripts*. The receiving institution shall inform a student of the courses [which] *that* are acceptable for transfer credit and the courses [which] *that* are applicable to the student's intended program of study.

(4) A [receiving institution shall give a transfer student the option of satisfying institutional graduation requirements that were in effect at the receiving institution at the time the student enrolled as a freshman at the sending institution. In the case of major requirements, a transfer student may satisfy the major requirements in effect at the time when the student was identifiable as pursuing the recommended transfer program at the sending institution. These conditions are applicable to a student who has been continuously enrolled at the sending institution.] *transfer student shall be provided the same opportunity as a native student to pursue the program and degree requirements that were in*

*effect at the time that the student enrolled at the sending institution provided they have been continuously enrolled and otherwise meet the same requirements of the native student.*

**.07 Programmatic Currency.**

A. [A receiving institution] *Maryland public institutions* shall [provide] *collaborate* [to the community college] *to develop and provide to students* current and accurate information on [recommended] transferable programs and [the transferability status of courses. Community college students shall have access to this information] *courses*.

B. *Upon approval of new baccalaureate programs*, [R]recommended transfer programs shall be developed with each community college [whenever new baccalaureate programs are approved by the degree-granting institution].

C. (text unchanged)

**.08 Transfer Mediation Committee.**

A. [There is a Transfer Mediation Committee, appointed by] *Sending and receiving institutions that disagree on the transferability of general education courses as defined by this chapter shall submit their disagreements to the Secretary, who shall appoint a Transfer Mediation Committee to adjudicate the disagreement. Members appointed to the Transfer Mediation Committee* [which is] *shall be* representative of the public [4] *four-year colleges and universities and the community colleges.*

[B. Sending and receiving institutions that disagree on the transferability of general education courses as defined by this chapter shall submit their disagreements to the Transfer Mediation Committee. The Transfer Mediation Committee shall address general questions regarding existing or past courses only, not individual student cases, and shall also address questions raised by institutions about the acceptability of new general education courses. As appropriate, the Committee shall consult with faculty on curricular issues.]

B. *The Transfer Mediation Committee shall address general education issues at the course or curricular level, not individual student cases. As appropriate, the Committee shall consult with faculty on curricular issues.*

C. (text unchanged)