

Department of Legislative Services
 Maryland General Assembly
 2021 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 1208 (Delegate Solomon)
 Appropriations

Task Force to Study Academic Credit for Prior Learning in Higher Education

This bill establishes the Task Force to Study Academic Credit for Prior Learning in Higher Education. The Maryland Higher Education Commission (MHEC) must provide staff for the task force. Members of the task force may not receive compensation but are entitled to reimbursement for expenses, as provided in the State budget. By July 1, 2022, the task force must report its findings and recommendations to the General Assembly. **The bill takes effect July 1, 2021, and terminates September 30, 2022.**

Fiscal Summary

State Effect: General fund expenditures increase by \$35,000 in FY 2022 to staff the task force. Any expense reimbursements for members of the task force are assumed to be minimal and absorbable with existing budgeted resources. Future years reflect the elimination of the contractual position and subsequent termination of the task force. No effect on revenues.

(in dollars)	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	35,000	0	0	0	0
Net Effect	(\$35,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The task force must:

- study and develop uniform standards for awarding academic credit for prior learning;
- establish requirements for adopting uniform standards and for each postsecondary institution to make the uniform standards available to the public;
- determine standards for the transferability of academic credit for prior learning among postsecondary institutions;
- review and assess whether the current standards of a score higher than 3 on an Advanced Placement (AP) examination and higher than 50 on a College Level Examination Program for a given course are effective measures for indicating that a student is sufficiently prepared to be successful in a related, more advanced course; and
- make recommendations regarding best practices for the adoption and implementation of uniform standards for awarding academic credit for prior learning that can be agreed to and implemented by postsecondary institutions.

In addition, the task force must collect the following data for each institution represented on the task force:

- the total number of students awarded academic credit for prior learning, both in the aggregate and disaggregated by the manner in which the prior learning was assessed;
- the total number of credits awarded to students for prior learning both in the aggregate and disaggregated by the manner in which the prior learning was assessed; and
- the number of credits awarded to students for prior learning that were applied toward major requirements and elective requirements.

The bill establishes the membership of the task force. The Secretary of Higher Education must designate the chair of the task force.

Current Law:

Statute – Transfer Requirements

MHEC must establish procedures for transfer of students between public segments of postsecondary education. MHEC must recommend cooperative programs among segments of postsecondary education to assure appropriate flexibility in the higher education system.

In conjunction with the governing boards of institutions, MHEC must establish standards for articulation agreements.

MHEC, in collaboration with the public institutions of higher education, was required to develop and implement, by July 1, 2016, a statewide transfer agreement whereby at least 60 credits of general education, elective, and major courses that a student earns at any community college in the State toward an associate of arts or associate of science degree must be transferable to any public four-year higher education institution in the State for credit toward a bachelor's degree.

In addition, MHEC, in collaboration with the public institutions of higher education, was required to develop and implement, by July 1, 2016, a statewide reverse transfer agreement whereby at least 30 credits that a student earns at any public four-year institution in the State toward a bachelor's degree are transferable to any community college in the State for credit toward an associate's degree.

Regulations – Transfer of Courses and Credits

The Code of Maryland Regulations establishes detailed transfer requirements that specify which types of credits and courses must transfer. In general, credit earned at any public institution in the State is transferable to any other public institution if (1) the credit is from a college or university parallel course or program; (2) grades in the block of courses transferred averaged 2.0 or higher; and (3) acceptance of the credit is consistent with the policies of the receiving institution governing native students following the same program. In addition, community college courses taken as part of a recommended transfer program degree must 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.

In general, a completed general education program must transfer (as lower division credits) without further review or approval by the receiving institution and without the need for a course-by-course match. The assignment of credit through a nationally recognized standardized exam such as the AP exam must be determined according to the same standards that apply to native students in the receiving institution and consistent with the State minimum requirements. Other nontraditional credit, such as technical courses from career programs, must be evaluated on a course-by-course basis according to the same standards that apply to native students.

Regulations – Student Transfer Responsibilities

According to regulations, a student is held accountable for the loss of credits that (1) result from changes in the student's selection of the major program of study; (2) were earned for

remedial course work; or (3) exceed the total course credits accepted in transfer. A student is also responsible for meeting all requirements of the academic program of the receiving institution.

Regulations – General Education Courses Transfer Mediation Committee

According to regulations, sending and receiving institutions that disagree on the transferability of *general education courses* must submit their disagreements to the Secretary of Higher Education, who must appoint a Transfer Mediation Committee to adjudicate the disagreement. Members appointed to the committee must be representative of the public four-year colleges and universities and the community colleges. The committee must address general education issues at the course or curricular level, not individual student cases. As appropriate, the committee must consult with faculty on curricular issues. The findings of the committee are considered binding on both parties.

Regulations – Denial of Credit

According to regulations, the receiving institution must inform the student of the denial in writing no later than the middle of the student's first semester at the institution and must additionally inform the student of their right to appeal the decision. If the student exercises their right to appeal, the institution must respond within 10 working days, and their decision must be conveyed to the student in writing and be consistent with the applicable regulations. If the appeal is denied, the student may, within 10 working days, request that the transfer coordinator of their sending institution intercede on their behalf. Representatives of both institutions must affirm, modify, or reverse the initial decision within 15 working days of the request. This decision is final and must be conveyed to the student in writing.

Regulations – Transfer Coordinator

A public institution of higher education must designate a transfer coordinator, who serves as a resource person to transfer students at either the sending or receiving campus. The transfer coordinator is responsible for overseeing the application of the policies and procedures and interpreting transfer policies to the individual student and to the institution.

Student Transfer Advisory Committee

The Student Transfer Advisory Committee (STAC) was codified in statute by Chapter 327 of 2012 for a 10-year period; thus, it terminates June 30, 2022. According to regulations, MHEC must establish a permanent STAC. STAC is expected to review and analyze (1) matriculation and student support services, including admission and advising practices

and (2) any other student transfer-related issues referred to it by MHEC. STAC is required to report by December 1 in odd-numbered years.

State Expenditures: MHEC advises that one half-time education analyst is required to staff the task force, which includes collection and review of prior learning student credit data, disaggregated as specified and research and analysis of specified topics. Thus, general fund expenditures for MHEC increase by \$35,010 in fiscal 2022, which reflects the cost of hiring one half-time contractual employee to staff the task force. This reflects the bill's July 1, 2021 effective date since the task force will require an entire 12-month period to complete its work. The estimate includes a half-time salary, fringe benefits, one-time start-up costs, and operating expenses.

Contractual Position	0.5
Salary and Fringe Benefits	\$29,592
One-time Start-up Costs	5,090
Operating Expenses	<u>328</u>
Total and 2022 State Expenditures	\$35,010

This estimate does not include any health insurance costs that could be incurred for specified contractual employees under the State's implementation of the federal Patient Protection and Affordable Care Act.

Future year expenditures reflect elimination of the contractual position on June 30, 2022, as the report is due and the subsequent termination of the task force three months later. Any expense reimbursements for task force members are assumed to be minimal and absorbable within existing budgeted resources.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Higher Education Commission; Department of Legislative Services

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