UNIVERSITY SYSTEM of MARYLAND

Board of Regents Retreat
The Hotel at University of Maryland
Terrapin Ballroom

October 13, 2022

AGENDA **8:30 A.M.**

8:30 – 8:35 a.m.	**Welcome and Introductions** ***Chair Linda Gooden, Board of Regents***
8:35 – 8:50 a.m.	**Strategic Plan** ***Chancellor Jay Perman***
8:50 – 9:30 a.m.	**Governance: "I Do!" Accreditation and Governance, Marriage of Autonomy and Accountability** ***Roger Ward, UMB***
9:35 – 10:15 a.m.	**Governance: NCHEMS Report** ***Regent Smarick*** ***Senior Vice Chancellor Boughman*** ***AAG Bainbridge***
	Break
10:30 – 11:15 a.m.	**Diversity, Equity, and Inclusion: Multi-campus Post-Doctoral Initiative toward Diversifying the Professoriate** ***UMBC Assistant Vice Provost Cresiski***
11:20 a.m. – 12:05 p.m.	**Research: Powering the USM Research Enterprise for Growth and Economic Impact** ***Vice Chancellor Masucci***
12:05 – 12:45 p.m.	**Lunch**
12:50 p.m.	**Convene to Closed Session**
2:45 – 3:15 p.m.	**Governance: Legislative Preview with the Budget Chairs of the Maryland General Assembly** ***Vice Chancellor Hogan*** ***Senator Guzzone*** ***Delegate Barnes***
3:20 – 3:30 p.m.	**Closing Remarks**

UNIVERSITY of MARYLAND BALTIMORE

I Do: Accreditation and Governance, Marriage of Autonomy and Accountability

Dr. Roger Ward
Provost and Executive Vice President
Dean, Graduate School
University of Maryland, Baltimore

University System of Maryland
Board of Regents Retreat

October 13, 2022

UNIVERSITY of MARYLAND BALTIMORE

Presentation Roadmap

- Accreditation Overview
- About Middle States
- The Seven Standards
- Standard VII (The Wedding Vow)
- Standards V and VI (Potential Interlopers)
- Middles States Accreditation Actions
- Questions for Boards and Presidents to Consider

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Accreditation Overview

- Accreditation is a "voluntary" practice of review that has existed for more than 100 years.
- Accreditation is a nongovernmental, periodic, peer-based system of review of higher education institutions and programs.
- Accreditation is mandatory for institutions and their students to be eligible for receipt of federal funds (~ $150 billion per year).
- Accreditors (e.g., Middle States) are voluntary membership organizations of colleges and universities that have been granted recognition by the U.S. Department of Education to serve as "gatekeepers".
- Two kinds of institutional accreditors: regional accreditors accredit institutions within a defined geographic region, and national accreditors accredit colleges and universities throughout the United States.
- In addition to institutional accreditors, there are also specialized accreditors at the program level within institutions e.g., ABA, CCNE, ABET, NCATE, etc.

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About Middle States

- The Middle States Commission on Higher Education (MSCHE) is recognized by the US DoE to conduct accreditation and pre-accreditation (candidacy status).
- MSCHE requires a holistic evaluation of the institution i.e., everything done in the name of the institution.
- MSCHE accreditation is an expression of confidence in an institution's mission and goals, its performance, and its resources.
- An institution is accredited when the educational community, as represented by a site visit team appointed by MSCHE, has verified that its goals are achieved through self-regulation and peer review.

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Middle States Accreditation Basics

- Reaccreditation occurs on an 8-year cycle.
- Must demonstrate compliance with all 7 Standards and 15 Requirements of Affiliation.
- Institutional preparation process begins two years before scheduled three-day site visit.
- Active and broad participation in the self-study process required by the university community.
- Active participation and engagement with the self-study process by Regents is a Middle States expectation.

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The Standards

I. Mission and Goals

II. Ethics and Integrity

III. Design and Delivery of the Student Learning Experience

IV. Support of the Student Experience

V. Educational Effectiveness Assessment

VI. Planning, Resources, and Institutional Improvement

VII. Governance, Leadership, and Administration

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Standard VII: Governance, Leadership and Administration

"The institution is governed and administered in a manner that allows it to realize its stated mission and goals in a way that effectively benefits the institution, its students, and the other constituencies it serves. Even when supported by or affiliated with governmental, corporate, religious, educational system, or other unaccredited organizations, the institution has education as its primary purpose, and it operates as an academic institution with appropriate autonomy."

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Reaccreditation Tripwires: V & VI

Standard V: Educational Effectiveness and Assessment

"Assessment of student learning and achievement demonstrates that the institution's students have accomplished educational goals consistent with their program of study, degree level, the institution's mission, and appropriate expectations for institutions of higher education."

Standard VI: Planning, Resources, and Institutional Improvement

"The institution's planning processes, resources, and structures are aligned with each other and are sufficient to fulfill its mission and goals, to continuously assess and improve its programs and services, and to respond effectively to opportunities and challenges."

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Summary of MSCHE Accreditation Actions

Affirming Actions

- Grant candidate for accreditation status
- Grant initial accreditation
- Grant reaccreditation

Adverse (non-compliance) Actions

- Issue (or continue) warning
- Issue (or continue) probation
- Issue show cause

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Questions Every Board and President Should Ask

- What is the institution's plan for self-study and how will board members be involved?
- What (if any) issues were raised in the last self-study and accreditation report? Have those issues been fully resolved?
- How does the board assess itself and demonstrate continued improvement?
- Does the board's orientation program for new members include an overview of accreditation processes and the number and types of accreditations held?

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Required Reading for Boards and Presidents

AGB-CHEA Joint Advisory Statement

on Accreditation and Governing Boards

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Sources

AGB-CHEA *Joint Advisory Statement on Accreditation and Governing Boards* (2022)

MSCHE *Accreditation Actions Procedures* (October 1, 2022)

MSCHE *Standards for Accreditation and Requirements for Affiliation* (13th Edition)

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The End

rward@umaryland.edu

MSCHE
MIDDLE STATES COMMISSION ON HIGHER EDUCATION

Standards for Accreditation and Requirements of Affiliation

ment • Self-Study • Institutions • Quality • Data • Self-Assessment • Accr
tability • Integrity • Change • Advocacy • Outcomes • Innovation •
ce • Mission • Higher Education • Students • Peer-Review • Priorities
ip • Equitable • Trust • Evaluation • Fair • Success • Excellence • Co
s • Improvement • Self-Study • Institutions • Quality • Data • Self-Asse
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Confidence • Mission • Higher Education • Students • Peer-Review •
Leadership • Equitable • Trust • Evaluation • Fair • Success • Exc
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essment • Accreditation • Accountability • Integrity • Change • Ad
s • Innovation • Diverse • Confidence • Mission • Higher Education •
eview • Priorities • Rigor • Leadership • Equitable • Trust • Evaluatio
Excellence • Consistent • Standards • Improve
• Data • Self-Assessment • Accreditation • Accountability • Integrity
Outcomes • Innovation • Diverse • Confidence • Mission

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Revised for clarification with editorial changes to the Requirements of Affiliation, November 2015.

Standards for Accreditation and Requirements of Affiliation replaces all the earlier editions of Characteristics of Excellence in Higher Education: Requirements of Affiliation and Standards for Accreditation: 1919, 1941, 1953, 1957, 1971, 1978, 1982, 1988, 1989, 1994, 2002, and those revised with editorial changes in 2006, 2007, 2008 and 2011.

Permission is granted to colleges and universities within the jurisdiction of the Middle States Commission on Higher Education to photocopy this handbook for the purpose of institutional self-study and peer review. The text of this publication also may be downloaded from the Commission's website at www.msche.org/standards.

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Preamble

Statement Regarding the Purpose of and Commitment to Accreditation

by the Middle States Commission on Higher Education

An institution of higher education is a community dedicated to students, to the pursuit and dissemination of knowledge, to the study and clarification of values, and to the advancement of the society it serves. The Middle States Commission on Higher Education (MSCHE), through accreditation, mandates that its member institutions meet rigorous and comprehensive standards, which are addressed in the context of the mission of each institution and within the culture of ethical practices and institutional integrity expected of accredited institutions. In meeting the quality standards of MSCHE accreditation, institutions earn accredited status, and this permits them to state with confidence: “Our students are well-served; society is well-served.”

Introduction

Middle States Commission on Higher Education accreditation is an expression of confidence in an institution's mission and goals, its performance, and its resources. An institution is accredited when the educational community has verified that its goals are achieved through self-regulation and peer review. The extent to which each educational institution accepts and fulfills the responsibilities inherent in the process of accreditation is a measure of its commitment to striving for and achieving excellence in its endeavors.

The Middle States Commission on Higher Education Accreditation Standards and Requirements of Affiliation are comprised of the enclosed seven standards and 15 requirements which serve as an ongoing guide for those institutions considering application for membership, those accepted as candidate institutions, and those accredited institutions engaged in self-review and peer evaluation. Accredited institutions are expected to demonstrate compliance with these standards and requirements, to conduct their activities in a manner consistent with the standards and requirements, and to engage in ongoing processes of self-review and improvement.

Four principles guided the development of these standards: first, the mission-centric standards acknowledge the diversity of institutions; second, the focus of the standards is on the student learning experience; third, the standards emphasize institutional assessment and assessment of student learning; fourth, the standards support innovation as an essential part of continuous institutional improvement. These standards affirm that the individual mission and goals of each institution remain the context within which these accreditation standards are applied. They emphasize functions rather than specific structures, recognizing that there are many different models for educational and operational excellence.

Each standard is expressed in one or two sentences and is then followed by criteria. The criteria specify characteristics or qualities that encompass the standard. Institutions and evaluators will use these criteria together with the standards, within the context of institutional mission, to demonstrate or determine compliance. Institutions and evaluators should not use the criteria as a checklist.

Requirements of Affiliation

To be eligible for, to achieve, and to maintain Middle States Commission on Higher Education accreditation, an institution must demonstrate that it fully meets the following Requirements of Affiliation. Compliance is expected to be continuous and will be validated periodically, typically at the time of institutional self-study and during any other evaluation of the institution's compliance. Once eligibility is established, an institution then must demonstrate on an ongoing basis that it meets the standards for accreditation.

1. The institution is authorized or licensed to operate as a postsecondary educational institution and to award postsecondary degrees; it provides written documentation demonstrating both. Authorization or licensure is from an appropriate governmental organization or agency within the Middle States region (Delaware, the District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, and the U.S. Virgin Islands), as well as by other agencies as required by each of the jurisdictions, regions, or countries in which the institution operates.

   Institutions that offer only postsecondary certificates, diplomas, or licenses are not eligible for accreditation by the Middle States Commission on Higher Education.

2. The institution is operational, with students actively enrolled in its degree programs.

3. For institutions pursuing Candidacy or Initial Accreditation, the institution will graduate at least one class before the evaluation team visit for initial accreditation takes place, unless the institution can demonstrate to the satisfaction of the Commission that the lack of graduates does not compromise its ability to demonstrate that students have achieved appropriate learning outcomes.

4. The institution's representatives communicate with the Commission in English, both orally and in writing.

5. The institution complies with all applicable government (usually Federal and state) laws and regulations.

6. The institution complies with applicable Commission, interregional, and inter-institutional policies. These policies can be viewed on the Commission website, www.msche.org.

7. The institution has a mission statement and related goals, approved by its governing board, that defines its purposes within the context of higher education.

8. The institution systematically evaluates its educational and other programs and makes public how well and in what ways it is accomplishing its purposes.

9. The institution's student learning programs and opportunities are characterized by rigor, coherence, and appropriate assessment of student achievement throughout the educational offerings, regardless of certificate or degree level or delivery and instructional modality.

10. Institutional planning integrates goals for academic and institutional effectiveness

Requirements of Affiliation cont.

and improvement, student achievement of educational goals, student learning, and the results of academic and institutional assessments.

11. The institution has documented financial resources, funding base, and plans for financial development, including those from any related entities (including without limitation systems, religious sponsorship, and corporate ownership) adequate to support its educational purposes and programs and to ensure financial stability. The institution demonstrates a record of responsible fiscal management, has a prepared budget for the current year, and undergoes an external financial audit on an annual basis.

12. The institution fully discloses its legally constituted governance structure(s) including any related entities (including without limitation systems, religious sponsorship, and corporate ownership). The institution's governing body is responsible for the quality and integrity of the institution and for ensuring that the institution's mission is being accomplished.

13. A majority of the institution's governing body's members have no employment, family, ownership, or other personal financial interest in the institution. The governing body adheres to a conflict of interest policy that assures that those interests are disclosed and that they do not interfere with the impartiality of governing body members or outweigh the greater duty to secure and ensure the academic and fiscal integrity of the institution. The institution's district/system or other chief executive officer shall not serve as the chair of the governing body.

14. The institution and its governing body/bodies make freely available to the Commission accurate, fair, and complete information on all aspects of the institution and its operations. The governing body/bodies ensure that the institution describes itself in comparable and consistent terms to all of its accrediting and regulatory agencies, communicates any changes in accredited status, and agrees to disclose information (including levels of governing body compensation, if any) required by the Commission to carry out its accrediting responsibilities.

15. The institution has a core of faculty (full-time or part-time) and/or other appropriate professionals with sufficient responsibility to the institution to assure the continuity and coherence of the institution's educational programs.

Standard I

Mission and Goals

The institution's mission defines its purpose within the context of higher education, the students it serves, and what it intends to accomplish. The institution's stated goals are clearly linked to its mission and specify how the institution fulfills its mission.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. clearly defined mission and goals that:

   a. are developed through appropriate collaborative participation by all who facilitate or are otherwise responsible for institutional development and improvement;

   b. address external as well as internal contexts and constituencies;

   c. are approved and supported by the governing body;

   d. guide faculty, administration, staff, and governing structures in making decisions related to planning, resource allocation, program and curricular development, and the definition of institutional and educational outcomes;

   e. include support of scholarly inquiry and creative activity, at levels and of the type appropriate to the institution;

   f. are publicized and widely known by the institution's internal stakeholders;

   g. are periodically evaluated;

2. institutional goals that are realistic, appropriate to higher education, and consistent with mission;

3. goals that focus on student learning and related outcomes and on institutional improvement; are supported by administrative, educational, and student support programs and services; and are consistent with institutional mission; and

4. periodic assessment of mission and goals to ensure they are relevant and achievable.

Standard II

Ethics and Integrity

Ethics and integrity are central, indispensable, and defining hallmarks of effective higher education institutions. in all activities, whether internal or external, an institution must be faithful to its mission, honor its contracts and commitments, adhere to its policies, and represent itself truthfully.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. a commitment to academic freedom, intellectual freedom, freedom of expression, and respect for intellectual property rights;

2. a climate that fosters respect among students, faculty, staff, and administration from a range of diverse backgrounds, ideas, and perspectives;

3. a grievance policy that is documented and disseminated to address complaints or grievances raised by students, faculty, or staff. The institution's policies and procedures are fair and impartial, and assure that grievances are addressed promptly, appropriately, and equitably;

4. the avoidance of conflict of interest or the appearance of such conflict in all activities and among all constituents;

5. fair and impartial practices in the hiring, evaluation, promotion, discipline, and separation of employees;

6. honesty and truthfulness in public relations announcements, advertisements, recruiting and admissions materials and practices, as well as in internal communications;

7. as appropriate to its mission, services or programs in place:

   a. to promote affordability and accessibility;

   b. to enable students to understand funding sources and options, value received for cost, and methods to make informed decisions about incurring debt;

8. compliance with all applicable federal, state, and Commission reporting policies, regulations, and requirements to include reporting regarding:

   a. the full disclosure of information on institution-wide assessments, graduation, retention, certification and licensure or licensing board pass rates;

   b. the institution's compliance with the Commission's Requirements of Affiliation;

   c. substantive changes affecting institutional mission, goals, programs, operations, sites, and other material issues which must be disclosed in a timely and accurate fashion;

   d. the institution's compliance with the Commission's policies; and

9. periodic assessment of ethics and integrity as evidenced in institutional policies, processes, practices, and the manner in which these are implemented.

Standard III

Design and Delivery of the Student Learning Experience

An institution provides students with learning experiences that are characterized by rigor and coherence at all program, certificate, and degree levels, regardless of instructional modality. All learning experiences, regardless of modality, program pace/schedule, level, and setting are consistent with higher education expectations.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. certificate, undergraduate, graduate, and/or professional programs leading to a degree or other recognized higher education credential, of a length appropriate to the objectives of the degree or other credential, designed to foster a coherent student learning experience and to promote synthesis of learning;

2. student learning experiences that are designed, delivered, and assessed by faculty (full-time or part-time) and/or other appropriate professionals who are:

    a. rigorous and effective in teaching, assessment of student learning, scholarly inquiry, and service, as appropriate to the institution's mission, goals, and policies;

    b. qualified for the positions they hold and the work they do;

    c. sufficient in number;

    d. provided with and utilize sufficient opportunities, resources, and support for professional growth and innovation;

    e. reviewed regularly and equitably based on written, disseminated, clear, and fair criteria, expectations, policies, and procedures;

3. academic programs of study that are clearly and accurately described in official publications of the institution in a way that students are able to understand and follow degree and program requirements and expected time to completion;

4. sufficient learning opportunities and resources to support both the institution's programs of study and students' academic progress;

5. at institutions that offer undergraduate education, a general education program, free standing or integrated into academic disciplines, that:

    a. offers a sufficient scope to draw students into new areas of intellectual experience, expanding their cultural and global awareness and cultural sensitivity, and preparing them to make well-reasoned judgments outside as well as within their academic field;

    b. offers a curriculum designed so that students acquire and demonstrate essential skills including at least oral and written communication, scientific and quantitative reasoning, critical analysis and reasoning, technological competency, and information literacy. Consistent with mission, the general education program also includes the study of values, ethics, and diverse perspectives; and

Standard III cont.

c. in non-US institutions that do not include general education, provides evidence that students can demonstrate general education skills;

6. in institutions that offer graduate and professional education, opportunities for the development of research, scholarship, and independent thinking, provided by faculty and/or other professionals with credentials appropriate to graduate-level curricula;

7. adequate and appropriate institutional review and approval on any student learning opportunities designed, delivered, or assessed by third-party providers; and

8. periodic assessment of the effectiveness of programs providing student learning opportunities.

Standard IV

Support of the Student Experience

Across all educational experiences, settings, levels, and instructional modalities, the institution recruits and admits students whose interests, abilities, experiences, and goals are congruent with its mission and educational offerings. The institution commits to student retention, persistence, completion, and success through a coherent and effective support system sustained by qualified professionals, which enhances the quality of the learning environment, contributes to the educational experience, and fosters student success.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. clearly stated, ethical policies and processes to admit, retain, and facilitate the success of students whose interests, abilities, experiences, and goals provide a reasonable expectation for success and are compatible with institutional mission, including:

   a. accurate and comprehensive information regarding expenses, financial aid, scholarships, grants, loans, repayment, and refunds;

   b. a process by which students who are not adequately prepared for study at the level for which they have been admitted are identified, placed, and supported in attaining appropriate educational goals;

   c. orientation, advisement, and counseling programs to enhance retention and guide students throughout their educational experience;

   d. processes designed to enhance the successful achievement of students' educational goals including certificate and degree completion, transfer to other institutions, and post-completion placement;

2. policies and procedures regarding evaluation and acceptance of transfer credits, and credits awarded through experiential learning, prior non-academic learning, competency-based assessment, and other alternative learning approaches;

3. policies and procedures for the safe and secure maintenance and appropriate release of student information and records;

4. if offered, athletic, student life, and other extracurricular activities that are regulated by the same academic, fiscal, and administrative principles and procedures that govern all other programs;

5. if applicable, adequate and appropriate institutional review and approval of student support services designed, delivered, or assessed by third-party providers; and

6. periodic assessment of the effectiveness of programs supporting the student experience.

Standard V

Educational Effectiveness Assessment

Assessment of student learning and achievement demonstrates that the institution's students have accomplished educational goals consistent with their program of study, degree level, the institution's mission, and appropriate expectations for institutions of higher education.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. clearly stated educational goals at the institution and degree/program levels, which are interrelated with one another, with relevant educational experiences, and with the institution's mission;

2. organized and systematic assessments, conducted by faculty and/or appropriate professionals, evaluating the extent of student achievement of institutional and degree/program goals. Institutions should:

   a. define meaningful curricular goals with defensible standards for evaluating whether students are achieving those goals;

   b. articulate how they prepare students in a manner consistent with their mission for successful careers, meaningful lives, and, where appropriate, further education. They should collect and provide data on the extent to which they are meeting these goals;

   c. support and sustain assessment of student achievement and communicate the results of this assessment to stakeholders;

3. consideration and use of assessment results for the improvement of educational effectiveness. Consistent with the institution's mission, such uses include some combination of the following:

   a. assisting students in improving their learning;

   b. improving pedagogy and curriculum;

   c. reviewing and revising academic programs and support services;

   d. planning, conducting, and supporting a range of professional development activities;

   e. planning and budgeting for the provision of academic programs and services;

   f. informing appropriate constituents about the institution and its programs;

   g. improving key indicators of student success, such as retention, graduation, transfer, and placement rates;

   h. implementing other processes and procedures designed to improve educational programs and services;

4. if applicable, adequate and appropriate institutional review and approval of assessment services designed, delivered, or assessed by third-party providers; and

5. periodic assessment of the effectiveness of assessment processes utilized by the institution for the improvement of educational effectiveness.

Standard VI

Planning, Resources, and Institutional Improvement

The institution's planning processes, resources, and structures are aligned with each other and are sufficient to fulfill its mission and goals, to continuously assess and improve its programs and services, and to respond effectively to opportunities and challenges.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. institutional objectives, both institution- wide and for individual units, that are clearly stated, assessed appropriately, linked to mission and goal achievement, reflect conclusions drawn from assessment results, and are used for planning and resource allocation;

2. clearly documented and communicated planning and improvement processes that provide for constituent participation, and incorporate the use of assessment results;

3. a financial planning and budgeting process that is aligned with the institution's mission and goals, evidence-based, and clearly linked to the institution's and units' strategic plans/ objectives;

4. fiscal and human resources as well as the physical and technical infrastructure adequate to support its operations wherever and however programs are delivered;

5. well-defined decision-making processes and clear assignment of responsibility and accountability;

6. comprehensive planning for facilities, infrastructure, and technology that includes consideration of sustainability and deferred maintenance and is linked to the institution's strategic and financial planning processes;

7. an annual independent audit confirming financial viability with evidence of follow-up on any concerns cited in the audit's accompanying management letter;

8. strategies to measure and assess the adequacy and efficient utilization of institutional resources required to support the institution's mission and goals; and

9. periodic assessment of the effectiveness of planning, resource allocation, institutional renewal processes, and availability of resources.

Standard VII

Governance, Leadership, and Administration

The institution is governed and administered in a manner that allows it to realize its stated mission and goals in a way that effectively benefits the institution, its students, and the other constituencies it serves. Even when supported by or affiliated with governmental, corporate, religious, educational system, or other unaccredited organizations, the institution has education as its primary purpose, and it operates as an academic institution with appropriate autonomy.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. a clearly articulated and transparent governance structure that outlines roles, responsibilities, and accountability for decision making by each constituency, including governing body, administration, faculty, staff and students;

2. a legally constituted governing body that:

   a. serves the public interest, ensures that the institution clearly states and fulfills its mission and goals, has fiduciary responsibility for the institution, and is ultimately accountable for the academic quality, planning, and fiscal well-being of the institution;

   b. has sufficient independence and expertise to ensure the integrity of the institution. Members must have primary responsibility to the accredited institution and not allow political, financial, or other influences to interfere with their governing responsibilities;

   c. ensures that neither the governing body nor its individual members interferes in the day-to-day operations of the institution;

   d. oversees at the policy level the quality of teaching and learning, the approval of degree programs and the awarding of degrees, the establishment of personnel policies and procedures, the approval of policies and by-laws, and the assurance of strong fiscal management;

   e. plays a basic policy-making role in financial affairs to ensure integrity and strong financial management. This may include a timely review of audited financial statements and/or other documents related to the fiscal viability of the institution;

   f. appoints and regularly evaluates the performance of the Chief Executive Officer;

   g. is informed in all its operations by principles of good practice in board governance;

   h. establishes and complies with a written conflict of interest policy designed to ensure the impartiality of the governing body by addressing matters such as payment for services, contractual relationships, employment, and family, financial or other interests that could pose or be perceived as conflicts of interest;

   i. supports the Chief Executive Officer in maintaining the autonomy of the institution;

Standard VII cont.

3. Chief Executive Officer who:

   a. is appointed by, evaluated by, and reports to the governing body and shall not chair the governing body;

   b. has appropriate credentials and professional experience consistent with the mission of the organization;

   c. has the authority and autonomy required to fulfill the responsibilities of the position, including developing and implementing institutional plans, staffing the organization, identifying and allocating resources, and directing the institution toward attaining the goals and objectives set forth in its mission;

   d. has the assistance of qualified administrators, sufficient in number, to enable the Chief Executive Officer to discharge his/her duties effectively; and is responsible for establishing procedures for assessing the organization's efficiency and effectiveness;

4. an administration possessing or demonstrating:

   a. an organizational structure that is clearly documented and that clearly defines reporting relationships;

   b. an appropriate size and with relevant experience to assist the Chief Executive Officer in fulfilling his/her roles and responsibilities;

   c. members with credentials and professional experience consistent with the mission of the organization and their functional roles;

   d. skills, time, assistance, technology, and information systems expertise required to perform their duties;

   e. regular engagement with faculty and students in advancing the institution's goals and objectives;

   f. systematic procedures for evaluating administrative units and for using assessment data to enhance operations; and

5. periodic assessment of the effectiveness of governance, leadership, and administration.

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AGB-CHEA Joint Advisory Statement

on Accreditation and Governing Boards

AGB ASSOCIATION OF GOVERNING BOARDS OF UNIVERSITIES AND COLLEGES

CHEA Council for Higher Education Accreditation

CHEA International Quality Group CIQG

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About AGB

The Association of Governing Boards of Universities and Colleges (AGB) is the premier membership organization that strengthens higher education governing boards and the strategic roles they serve within their organizations. Through our vast library of resources, educational events, and consulting services, and with 100 years of experience, we empower 40,000 AGB members from more than 2,000 institutions and foundations to navigate complex issues, implement leading practices, streamline operations, and govern with confidence. AGB is the trusted resource for board members, chief executives, and key administrators on higher education governance and leadership.

AGB works to identify emerging trends and issues in higher education governance and to promote their visibility by conducting research, developing publications, facilitating programs, and serving as a guide to address challenges and opportunities. The association focuses exclusively on higher education governance and helps board members and other higher education leaders assess their governance policies, practices, and strategies to improve performance, build leadership capacity, and plan for the future. AGB's comprehensive portfolio of information and services for boards and chief executives is nationally recognized. Our ultimate goal is to ensure that higher education remains a strong and vital national asset.

About CHEA

The Council for Higher Education Accreditation (CHEA) is a nonprofit organization started by college and university presidents in 1996 in an effort to respond to the U.S. Department of Education and the U.S. Congress, as well as to "recognize" institutional and programmatic accrediting organizations in the United States. CHEA "recognition" indicates that an accrediting organization has met rigorous CHEA standards for the promotion of academic quality, institutional improvement, and advancement of student success; demonstration of public accountability for performance and transparency; and sustains an effective accreditation structure and organization.

It was the efforts of these presidents who insisted that universities should be the primary determinants of quality academic performance. The institutional and program "self-study" processes and the philosophy of academic continuous improvement are the cornerstones of CHEA's advocacy and recognition. For more than 25 years, CHEA has been the primary advocate for institutions in the accreditation process. Previous years have indicated a growing assertive effort by the federal government to issue more regulations regarding academic quality in higher education, which are often tied to federal funding. CHEA continues to advocate on behalf of public, private, two- and four-year degree-granting institutions.

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AGB-CHEA Joint Advisory Statement on Accreditation and Governing Boards

This joint advisory statement was approved by the board of directors of AGB and by CHEA and represents the best thinking of both organizations on the relationship of governing boards to the process of accreditation.

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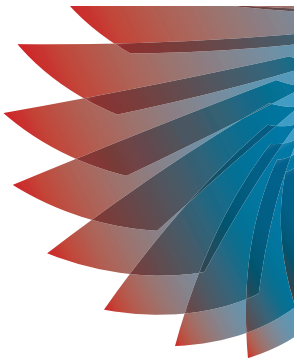

PREFACE

The Association of Governing Boards of Universities and Colleges (AGB) and the Council for Higher Education Accreditation (CHEA) have both recognized the importance of engaging governing boards in the accreditation process. AGB affirms[1] that a key element of board accountability for educational quality and institutional autonomy is awareness of and engagement in the process by which the institution and its various educational programs are accredited. CHEA recognizes and values the responsibility that governing boards share in helping colleges and universities attain the highest possible standards for good governance, management, and student success,[2] and it actively encourages the involvement of governing boards in this process.[3]

While accreditation is a critical tool for quality assurance and accountability for higher education, many—perhaps most—board members lack a solid understanding of what accreditation is and why it signals an institution's commitment to academic quality and fiscal integrity. To help governing boards better understand the process of accreditation, AGB and CHEA have published this updated report; the first was published in 2009 in response to heightened concern about higher education academic quality and heightened pressure for accountability. The higher education landscape has changed significantly since 2009; institutions are operating within an extremely challenging environment—one of volatility, uncertainty, complexity, and ambiguity. In addition to the extraordinary stresses posed by the pandemic, including the shift to remote instruction, higher education institutions are grappling with the now routine stresses of declining enrollment, increased public skepticism

1 *AGB Statement on Board Accountability*, adopted by the AGB Board of Directors, January 17, 2007.

2 *New Leadership for Student Learning and Accountability: A Statement of Principles, Commitments to Action*. AACU and CHEA, 2008.

3 *A Board Member's Guide to Accreditation*, CHEA, 2016.

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about the value of higher education, declining state funding, and financial sustainability. They are also grappling with new challenges and opportunities related to freedom of speech and goals of justice, diversity, equity, and inclusion across all institutional levels. Yet another challenge is balancing the promise of technology with sound pedagogy and programmatic and institutional goals.

But perhaps the greatest challenge is that posed by external influences, which threaten the independence of governing boards and principles of citizen trusteeship. This threat can be especially problematic at public institutions whose board members are typically political appointees, though undue influence and intrusion can also come from influential donors, alumni, legislatures, the media, and others. Institutional accrediting bodies may afford boards a measure of protection from undue influences, as their standards for institutional accreditation include board independence in governance. That is one of the many reasons why AGB and CHEA believe that boards need to understand more about accreditation as a process, the role of accrediting bodies, and how they do their work.

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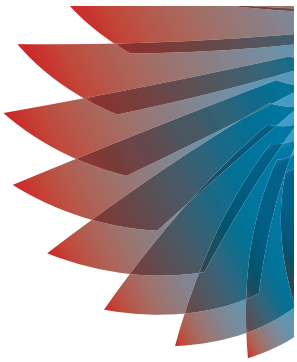

HISTORY AND CONTEXT OF ACCREDITATION

Accreditation in the United States is a voluntary, nongovernmental, periodic, peer-based system of review of higher education institutions and programs. The process is one element of several that are designed to assure the public of an institution's commitment to academic quality and fiscal integrity, as well as to stimulate continuous improvement by the institution. Accreditation incorporates the academy's goal of academic quality and complements other elements of regulation and standards, including those of the U.S. Department of Education and states. These three entities (accreditors, the U.S. Department of Education, and state higher education agencies) are often referred to as the "Triad," and work together to assure the academic, financial, and governance integrity of our nation's postsecondary institutions.

While accreditation is a voluntary practice of review that has existed for more than 100 years, accreditation is mandatory for institutions and their students to be eligible for receipt of federal funds, including access to federal student financial aid. Since 1952, the federal government has required that institutions or programs seeking eligibility for federal funds be accredited by an accrediting organization that the federal government has recognized as meeting federal standards. Federal funds include student aid grants and loans, research funds, and program funds—more than $150 billion per

The process is one element of several that are designed to assure the public of an institution's commitment to academic quality and fiscal integrity, as well as to stimulate continuous improvement by the institution.

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year in recent years. This relationship between accreditors and the federal government is often referred to as the "gatekeeping" role of accreditors and the accreditation process. Accreditors are principally voluntary membership organizations of colleges and universities that have been granted recognition by the U.S. Department of Education, usually based on a recommendation from a nationally appointed board, the National Advisory Committee on Institutional Quality and Integrity (NACIQI).

The Council for Higher Education Accreditation (CHEA) also recognizes U.S. institutional and programmatic accrediting organizations. CHEA recognition was established by the academic community to assure that accrediting organizations contribute to maintaining and improving academic quality. CHEA and the U.S. Department of Education recognize many of the same accrediting organizations, but not all.

At present, nearly 90 recognized accrediting organizations operate throughout the United States, reviewing public and private, two-year and four-year, nonprofit and for-profit institutions and a large and varied range of academic programs (for example, business, law, medicine, allied health, social work, and teacher education). Accrediting organizations are generally classified as either institutional or programmatic, although some agencies engage in both types of accreditation activities. A college or university may hold institutional accreditation as well as specialized accreditation for many academic programs. Examples of institutional accreditors include but are not limited to the Higher Learning Commission, Middle States Commission on Higher Education, and Southern Association of Colleges and Schools. Examples of programmatic accreditors include but are not limited to the American Bar Association, Association to Advance Collegiate Schools of Business, and Accrediting Council on Education in Journalism and Mass Communication.

Accreditation is mandatory for institutions and their students to be eligible for receipt of federal funds, including access to federal student financial aid.

Accrediting organizations set standards, including those for academic quality and student achievement, that institutions and/or programs must meet in order to receive accreditation from the organization. The accreditation

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process typically begins with a self-study process by an institution or program. Next an institution or program receives a site visit from members of the accrediting organization—experienced faculty, administrators, and, as appropriate, practitioners who have been specifically trained to evaluate institutional and/or programmatic performance. It is noteworthy that institutions and programs are accredited on varying cycles (e.g., every seven years, every ten years, or other intervals). As such, it is important for boards to know the number and types of accreditations held by their institution or system.

A college or university may hold institutional accreditation as well as specialized accreditation for many academic programs. . . . It is important for boards to know the number and types of accreditations held by their institution or system.

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SUGGESTED PRACTICES FOR GOVERNING BOARDS AND CHIEF EXECUTIVE OFFICERS

This statement offers suggestions for effective practice to governing boards and chief executive officers as they work with accrediting organizations. The statement is advisory and is not intended to be prescriptive. It is left to presidents and governing boards to determine whether the suggested practices are of value at their individual institutions and how to make use of them in a manner that best fits the specific environment and needs of each college or university.

For Governing Boards

Governing boards, working in collaboration with institutional leadership, are obligated to ensure mission achievement and institutional fiscal integrity as part of their fundamental fiduciary responsibility. Accordingly, understanding accreditation, accrediting standards, and their relevance to board accountability is extremely important. Governing boards of institutions and systems need to be appropriately engaged in the accreditation process, respect the leadership of the chief executive officer, the chief financial officer, the chief academic officer, and the faculty; acknowledge the importance of accreditation to serving students; and understand that board engagement, awareness, and follow-up are fundamental to their fiduciary responsibilities.

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To meet their ultimate responsibilities in accreditation, board leadership may consider the following actions to more fully engage the board in the accreditation process:

- Establish an ongoing orientation or accreditation education program for board members, with particular attention to the way in which accreditation relates to such core values as mission, institutional independence, educational quality, and academic freedom. Through the program, boards should come to understand their oversight responsibilities regarding allocation of human and financial resources and their ongoing stewardship of the academic mission; institutional commitment to assessment of student-learning outcomes; completion rates; and both qualitative and quantitative measures that demonstrate educational quality and institutional commitment to assessment of institutional effectiveness.[4]

- Include an overview of the accreditation process and the number and types of accreditations held; how to determine if the institution's educational programs are consistent with its mission; how academic priorities are supported by resource-allocation decisions; and how the accreditation report can aid institutional planning.

- Monitor the institution's accreditation status (institutional and programmatic) on an annual basis by the appropriate board committee, paying particular attention to where the institution is in the various accreditation cycles, preparation for self-studies and site visits, progress in addressing issues raised in past reports, and any concerns institutional leadership may have about upcoming accreditation reviews.

- For system boards, understand the accreditation processes of constituent institutions. Systems present a particularly complex and challenging environment for boards due to the number of institutions within their purview. It is incumbent on system chief executives to keep the system board informed of upcoming reviews, alerting the board to any perceived difficulties, and providing reports to the board.

- Familiarize the board with the standards of accrediting organizations that apply to board governance and actions that may be required to

4 *The Board's Role in Accreditation*. Michael F. Middaugh. AGB, 2007.

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address them. These typical institutional accreditation standards relate to board governance:

- ensure the institution's mission is kept current—regularly reviewed and aligned with academic programs;
- focus on strategic governance and oversight, not operations and management;
- select and regularly evaluate the president;
- define and address conflicts of interests;
- protect the institution from undue influence; and
- periodically discuss and evaluate the board's responsibilities and performance.

Board independence and institutional autonomy are foundational tenets of higher education and standards for accreditation.

- Discuss real or potential examples of undue influence. Board independence and institutional autonomy are foundational tenets of higher education and standards for accreditation.
- Develop, with the leadership of the chief executive officer, a plan for ongoing governing board involvement in accreditation reviews (for example, self-study preparation, site visits, and review of accreditation reports and decisions). This links the board's responsibility to monitor educational quality and fiscal integrity in the process of self-regulation and self-study in accreditation to other continuous, annual, and periodic institutional processes (i.e., budgeting, planning, and oversight).
- Establish clear expectations of the board leadership to work with the president on the accreditation process, including opportunities to meet with the visiting team, and an expectation that the visiting team's final report will be available to the full board.

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- Participate in the accreditation process. Some board members may be asked to participate in campus self-study committees, and/or to meet with the visiting team during the accreditation process and need to be prepared to contribute in other ways.
- Assure that faculty participation in the process is cultivated to take advantage of the faculty's institutional knowledge and academic expertise.
- Review key elements of the accreditation self-study, the visiting team's report, and formal action and decision letters from the accrediting organization and consider their implications for the institution's strategic goals, mission, and resources.
- Become aware of the public policy role of accreditation and its relationship with federal and state government and how this affects an institution or program. In November 2019, regulations by the U.S. Department of Education (https://agb.org/news/agb-alerts/accreditation-and-state-authorization-regulations/) changed, allowing institutions to choose an institutional accreditor. Boards should be aware of changes of accreditors under consideration and the rationale or implications.
- Understand accreditation processes as they relate to planned institution (or system) mergers or acquisitions. Accrediting organizations are often included in early conversations about mergers or acquisitions for a variety of reasons, particularly processes related to "change of control" and governance of the newly restructured institution or system.

For Chief Executive Officers

Chief executive officers provide leadership in the accreditation process and can guide governing boards through the experience and various stages. Accreditation can be used as an opportunity to assess institutional or programmatic impact and success, as well as to leverage change. Chief executive officers can assist the board in assuming appropriate participation and oversight in the following ways:

- Engage the board in periodic reviews of the various accreditations held by the institution, the costs involved, the obligations incurred, and the

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value added to the institution and its programs, as well as the anticipated schedule for future accreditation processes.

- Provide leadership and participate in orientation programs for new and current board members on issues related to accreditation.
- Inform the board about specific standards and expectations related to board governance that will be evaluated in upcoming accreditation reviews and ensure the availability of board members to meet with the visiting team.
- Prepare strategies, with board leadership (perhaps led by the board's executive committee), for board engagement in pending accreditation processes.

Board engagement in accreditation process and policy is central to the ongoing vitality and value of accreditation. . . . Accreditation can be used as an opportunity to assess institutional or programmatic impact and success, as well as to leverage change.

- Provide the board with periodic updates on the status of all pending accreditations and institutional actions that have resulted from previous accreditation reviews.
- With the chair, ensure that board agendas include relevant issues for board consideration resulting from accreditation reports.
- Work to more fully engage faculty in accreditation, including participating in their own institution's accreditation reviews, participating in reviews of other institutions, and serving on accrediting decision-making committees. The leadership role of the faculty and academic administration is critical to the success of the accreditation process.

Board engagement in accreditation process and policy is central to the ongoing vitality and value of accreditation and its work on behalf of students, colleges and universities, government, and the public. This engagement also benefits board members by affirming and strengthening their fiduciary roles in assuring the quality, efficiency, and effectiveness of the institutions for which they are accountable.

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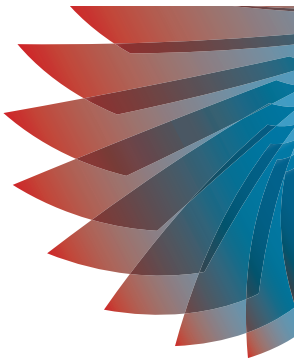

CONCLUSION

AGB and CHEA work collaboratively to support student success, institutional and program integrity, and financial vitality. Although two separate organizations, they share support for core principles and alignment of thought regarding the role and responsibilities of governing boards in accreditation, especially related to board oversight of mission fulfillment, institutional independence, educational quality, and financial vitality. Both organizations place a major emphasis on boards' commitment to building their knowledge of accreditation at the institution and program levels. Because board membership often changes during the course of an accreditation cycle, it is imperative that new board members are oriented to understand the review process.

As presidents and chief academic officers establish a campus culture of continuous improvement and evidence of student success, boards can support the administration's agenda through engagement in accreditation processes. Engagement comes before, during, and after the accreditation visit. As appropriate to the standards of governance, boards and institutional leadership should share common understandings regarding the trajectory of the institution; financial health and solvency; commitment to diversity, equity, and inclusion; innovation and change; and the future of the institution. It is through consistent review and self-study of institutional activities that boards and campus communities can identify

It is through consistent review and self-study of institutional activities that boards and campus communities can identify strengths, opportunities for change, strategies for improvement, and evidence of mission achievement.

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strengths, opportunities for change, strategies for improvement, and evidence of mission achievement.

Finally, boards and campus leadership must continue to be attuned to the changing federal and state political landscapes and policies that influence campus decisions. CHEA and AGB, two professional organizations, provide information to their members regarding existing and pending regulations, standards, and guidance on how to work with accreditors.

Accreditation is not a singular process. It is designed to foster engagement by institutional stakeholders (i.e., board members, administration, faculty, staff, and students). The process is fluid, continuous, rigorous, and intentionally designed to always improve academic quality, financial integrity, and ultimately provide evidence of student success.

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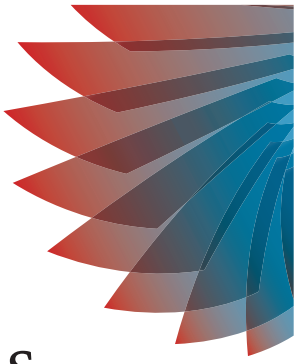

QUESTIONS FOR GOVERNING BOARDS AND CHIEF EXECUTIVES

- What is the institution's plan for self-study?
  - Who will lead it? How will board members be involved?
  - What's the timeline?
  - Has the institution/system allocated adequate resources to complete the self-study?
- In terms of assessing progress, what (if any) issues were raised in the last self-study and accreditation report? Have those issues been fully resolved?
- Are there accreditation issues embedded in components of the current strategic plan that require attention before the next accreditation review(s) can begin?
- How can accreditation reports aid institutional/system planning efforts?
  - How will your board discuss the alignment between educational programs, allocation of resources, and mission?
  - How will your board ensure that academic priorities are supported by resource-allocation decisions?
  - Are there any concerns about trends in financial sustainability for the institution and, if so, how will this be addressed by the board and administration?
- What are your accreditor's standards for board governance? How will the board assess itself and demonstrate continued improvement?
- How will your board's orientation program for new members include an overview of accreditation processes and the number and types of accreditations held?

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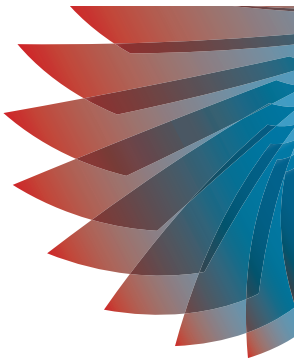

This joint advisory statement was approved by the board of directors of AGB and by CHEA and represents the best thinking of both organizations on the relationship of governing boards to the process of accreditation.

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NCHEMS Report on MHEC

Regent Andy Smarick
AAG Katherine Bainbridge
Senior Vice Chancellor for Academic and Student Affairs
Joann Boughman

September 29, 2022

University System of Maryland

University System of Maryland

Program Duplication in Maryland Higher Education

Background and Context

University System of Maryland

BACKGROUND

1969 U.S. DOE Office for Civil Rights notified ***Maryland that it was "operating a racially segregated system of higher education"***

1969–91 Maryland and OCR worked together on a desegregation plan.

1992 The Supreme Court decided *United States v. Fordice* and OCR announced it would apply the *Fordice* standard to all pending evaluations.

University System of Maryland

Background, cont.

2000

MHEC and OCR entered into a 5-year partnership agreement. MHEC agreed to:

"review, object to, and not approve programs which are unnecessarily duplicative unless there is sound educational justification"

develop measures to ensure that HBIs are "comparable and competitive"

University System of Maryland

Background, cont.

2005 MHEC approved a joint MBA program at Towson University and University of Baltimore over the objection of Morgan State University.

University System of Maryland

Coalition v. MHEC

2006

The Coalition for Equity and Excellence in Maryland Higher Education sued MHEC in federal court.

3 claims proceeded to trial:

- Maryland has **limited the HBIs' institutional missions.**
- Maryland has **limited the HBIs' operating funding.**
- Maryland has **permitted unnecessary duplication of academic programs** between HBIs and non-HBIs.

University System of Maryland

Coalition v. MHEC, cont.

2013

Judge held that there is unnecessary program duplication that has encouraged racial identifiability of the HBIs.

strongly **urged that the parties engage in mediation.**

The parties engaged in mediation between 2013 and 2015, without success.

University System of Maryland

Coalition v. MHEC, cont.

2017 After a trial on remedies, Judge rejected the parties' proposed remedies; directed the appointment of a special master to develop a remedial plan.

2018 Both parties appealed the decision to the Fourth Circuit.

2019 The Fourth Circuit ordered the parties to enter mediation, which was again unsuccessful.

University System of Maryland

The LEGISLATION: SB 1 (2021)

2021

MD General Assembly Senate Bill 1:
$577M supplemental funding to MD's 4 HBIs over 10 years **"to remedy the findings of the District Court" in *Coalition v. MHEC*.**

Allocation based on each HBI's enrollment compared to the total enrollment for the four HBIs.

- **Scholarships/financial aid**
- **Faculty recruitment/development**
- **Expanding /improving existing academic programs**
- **Developing /implementing new academic programs**
- **Academic support**
- **Marketing**

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The 2021 Legislation, cont.

Funding provided therein is **"contingent on the execution of a final settlement agreement. . . ."**

The district court dismissed the Coalition case, finding

the State's commitments "cure any policy of unnecessary program duplication traceable to Maryland's de jure system of racially segregated public higher education."

University System of Maryland

The 2021 Legislation, cont.

SB 1 directed the Department of Legislative Services to **commission the study of MHEC's program review process** and make recommendations to:

- Improve the program review and approval process
- Enhance the State's economic competitiveness by ensuring institutions' responsiveness to market demand
- Effectively support the State's workforce development requirements.

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2022: CURRENT LEGAL STATUS

- To the extent unnecessary program duplication exists, it is no longer traceable to segregation and no longer a potential violation of *Fordice*.
- Maryland's own laws still provide for objections to proposed programs based on "unreasonable program duplication which would cause demonstrable harm to another institution."
- Maryland can now consider whether to amend its laws in light of the passage of SB 1 and the resolution of *Coalition v. MHEC*.

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NCHEMS Report

National Center on Higher Education Management Systems

- Commissioned by DLS
- Assessed the MHEC **program review process**
- Gathered information from constituents
- Reviewed models from other states

University System of Maryland

Current Process of new program review

USM New Program Process	MHEC New Program Process
• Letter of Intent (LOI) (2 pages) – General plan (degree, campus, modality, workforce need addressed) • LOI circulated to USM campuses for response • If concerns, meetings to discuss/adjudicate	
• Full proposal (20+ pages) – • Specific plan (curriculum, course descriptions, faculty required, space needs, budget) • To EPSL for presentation, then to full Board	• Full proposal submitted— Objections permitted Discussions • MHEC decision— (Sec'y and Commission) Appeal permitted • MHEC final decision

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Principles to be ascribed to

- Student needs first
- State needs (workforce) addressed
- Barriers to innovation removed
- Review process transparent, predictable and timely
- Collaboration stimulated
- Clarity of definitions

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Concerns regarding current MHEC processes

- Focused on institutions as priority
- Strict process and long timelines are barrier to flexibility and innovation
- Process unpredictable, opaque, and missed timelines
- Definitions (e.g., duplication) not clear
- Duplication seems to include “reasonable” duplication of programs

University System of Maryland

NCHEMS Recommendations

General Recommendations with which we agree

- Better align process withState Plan
- Adhere to published timelines for current processes
- Reconsider equivalency of on-line and F2Fprograms
- Adjust triggers for full review from 30% to 50%
- Establish clear and concise criteria for program review
- Be intentional about utilizing expertise and institutional leadership input
- Avoid COI in Commission appointments

University System of Maryland

Recommendations that require consideration and discussion

- Potential change in MHEC authority on Mission Statement
  - Can MHEC refuse change to mission statement?
  - All missions might be very broad to anticipate internal changes

- Recommendation for institutional 3-year academic plans
  - Would strengthen strategic thinking
  - Encourage long term academic planning
  - Concern for amount of detail to be required
  - Can limit innovation and necessary response to environment
  - MHEC authority to disapprove

- Discontinue practice of allowing institutions to object in final process

University System of Maryland

Recommendations that need serious evaluation

- **Better define criteria for unreasonable/unnecessary duplication**
- Create process that supports cooperation and collaboration
  - Other states have model that mirrors USM process with discussion among institutions at Letter of Intent stage
  - Recognition that having multiple programs that address workforce needs are needed

University System of Maryland

Moving into future

- Need to obtain more detail on expectations and next steps
- Need to determine what workforce analysis data should be used
- Need to understand legislative and executive response
- Need to engage in more robust discussions across state

University System of Maryland

Thank you

NCHEMS Report to the Maryland Department of Legislative Services - August 1, 2022
Revised September 15, 2022

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INTRODUCTION

Across the country the roles of state higher education commissions/agencies are becoming more complex. Along with strategic planning, among the most important functions they perform is to safeguard the use of state resources and shape the capacity of the state's postsecondary system. This is done through approving changes in institutional missions and proposals for new academic programs, advocating for the creation of new programs required to meet workforce needs, and authorizing the operation within a given state's borders of in-state non-public and out-of-state institutions. They are also expected to hold institutions and/or systems accountable for performance in relation to state goals regarding student and institutional outcomes. As state goals have shifted from just assuring access for its citizens to postsecondary education to much more nuanced goals some modifications in the regulatory processes (and agencies) are required. In Maryland those goals include assuring equitable treatment of all public institutions—including funding—as well as developing plans for the emerging emphasis on outcomes for students. This encompasses ensuring that Maryland institutions are offering programs that reflect the changing workforce demands for jobs that pay living wages. All this means the structures and processes of a state higher education commission must shift if it is to perform all their responsibilities.

Maryland is not the only state examining the role and functioning of its higher education agency, but Maryland has a special charge resulting from the recent federal ruling that the State violated the Civil Rights Act of 1964. The ruling focused narrowly on the Maryland Higher Education Commission's (MHEC) allowing the unnecessary duplication of programs at public Historically Black Institutions (HBI) and at Traditionally White Institutions (TWI). As part of the concern for where Maryland goes from here, the General Assembly authorized a study of MHEC's capacity to respond appropriately to existing and new policies related to academic program reviews. Thus, the Maryland General Assembly Department of Legislative Services issued an RFP for "Review of Maryland Higher Education Commission Academic Program Approval Process". The National Center for Higher Education Management Systems (NCHEMS) was selected to conduct that review (see Appendix A. for the members of the NCHEMS team).

This report is the culmination of that review and is organized into eight sections. The first is a broad description of processes used to gather information and develop recommendations. That is followed by some background and the evidence gathered by the NCHEMS team. A summary of the findings and observations is next, followed by the general principles on which the recommendations are based. The recommendations follow, some of which are specifically about MHEC and others reflect considerations for policymakers in the state. In the final section, NCHEMS suggests specific staff roles for the new MHEC employees that have been authorized.

A. PROCESS AND ACTIVITIES

In carrying out the services requested by the Maryland General Assembly's Department of Legislative Services, NCHEMS started with an examination of the policies and procedures used by MHEC to review academic program proposals. Drawing on its knowledge of other states' approaches to program review and approval, NCHEMS created a format to capture and report on the criteria used in Maryland and elsewhere to determine program duplication issues. This format draws on a conceptual framework for describing institutional missions—a framework that includes disciplines and levels of programs offered,

the characteristics of the students served, and unique institutional features (e.g., Land Grant status, etc.). NCHEMS also reviewed relevant Maryland state statutes and regulations.
NCHEMS gathered written information about the internal policies and practices regarding academic program review and approval that are used at Maryland's public four-year institutions, those within the University of Maryland System as well as Morgan State University and Saint Mary's College of Maryland. NCHEMS requested that MHEC provide the study team with historical data on academic program reviews. MHEC's records were not fully available in digital format for the last five years, so NCHEMS worked with the staff there to assure the data received were in a useable format and as complete as possible. The NCHEMS team analyzed and organized that information to assess the criteria utilized by MHEC in the program approval process and to evaluate MHEC's structure and capabilities—including staffing, documentation of institutional missions, and capacity to assess workforce needs.

To augment the information gathered through document reviews, NCHEMS sent two teams of researchers to interview stakeholders throughout Maryland. These listening sessions used the same question sets as a guide. NCHEMS met with the leadership at all the HBCUs, the University System of Maryland, plus all the universities within the System. NCHEMS also met with representatives of the Maryland Association of Community Colleges, the Maryland Independent College and University Association, the Maryland Department of Labor, the Department of Legislative Services, and the Maryland Higher Education Commission. The purpose of these conversations was to reveal issues related to current practice and policies of program review and to understand them from the perspective of multiple stakeholders. Of particular interest was how those practices impact institutions' abilities to fulfill their mission, meet labor market needs, and serve their communities and students.

NCHEMS also gathered information about academic review processes and structures from agencies in seven other states. The states were Alabama, Arkansas, Louisiana, Mississippi, Ohio, South Carolina, and Virginia. NCHEMS chose these states because they include a tradition of public HBCUs and share similarities in terms of their higher education governance structures with Maryland. The same template developed to capture MHEC's processes, procedures, structures, and program duplication policies for comparisons was used to compile and organize information from these additional states. Analyzing this information served as a basis for identifying common features and process elements, decision-making criteria, issues or challenges, and best or promising practices. NCHEMS also analyzed the structure of MHEC with an emphasis on how well it can meet State and federal laws for comprehensive program reviews.

Finally, NCHEMS created recommendations concerning necessary changes to structure, policies and practices, and organization and utilization of staff.

The timeline used by NCHEMS for this work was as follows:

Task	Feb	Mar	Apr	May	Jun	July	Aug
Hold virtual meetings with clients to review expectations and activities	xx						
Review MHEC policies, procedures, structure, and process for academic review	xx	xx					

Review of relevant state statutes and regulations	xx	xx					
Evaluate 5-year performance history for MHEC academic approval		xx	xx	xx	xx		
Review MD's 4-year institution's academic review process	xx	xx					
Interviews with stakeholders on academic review process			xx				
Identify obstacles to MHEC academic review process		xx	xx				
Analysis and benchmarking of other states' academic review processes (LA, OH, VA, AL, SC, AR, MS)		xx	xx	xx			
Evaluate MHEC capacity to evaluate workforce and market demand for future and current academic programs			xx	xx			
Analyze MHEC's current structure (with 10 more FTE) to meet State and federal laws for comprehensive academic reviews				xx	xx		
Recommendations to improve MHEC structure and process draft report					xx		
Revisions to draft report						xx	xx
Presentation to Maryland groups							xx
Monthly progress reports	xx	xx	xx	xx	xx	xx	

B. BACKGROUND AND EVIDENCE

Maryland's higher education landscape includes 11 universities, one research center, three regional higher education centers as part of the University System of Maryland, St Mary's College of Maryland, Morgan State University, 16 community colleges, 15 non-public colleges and universities, five out-of-state colleges and universities (holding a Certificate of Approval to operate in Maryland), 140 private career schools, three regional higher education centers independent of the University System of Maryland, and a set of colleges and universities offering distance education to Maryland residents that do not participate in the National Council for State Reciprocity Agreements (NC-SARA).

The Maryland Higher Education Commission (MHEC) has authority over all of Maryland's higher education activities with particular responsibilities over the public institutions. The Commission has 12 members appointed by the Governor with consent of the Senate. The staff of MHEC is headed by the Secretary of Higher Education, who is appointed by and serves at the pleasure of the Commission.

One major role of MHEC is to review academic programs to ensure that they are meeting state or student needs, are well planned and appropriately resourced, fit within an institutional mission, and avoid unnecessary duplication among all of Maryland's higher education institutions. MHEC can approve or disapprove public institutions' programs. For private institutions they can recommend or not recommend. MHEC's processes are outlined below but they tend to use an approach to unreasonable program duplication that gives preference to the first institution that proposes a new program with limited meaningful follow up on the quality of that program over time. Once a new program is approved there do not seem to be sanctions if commitments made in the proposal are not met[1]. Those promises relate to starting dates, levels of cost, projected student enrollments and the like. In other words, MHEC

[1] As this report is being written, MHEC took the step of enforcing their program approval timeframe's expiration.

focuses primarily on the front end of the program quality. Some of this is very likely due to limited staffing at MHEC but with new staff being added, there can be much improvement.

Maryland and Comparative States' Practices

NCHEMS reviewed state agencies with similar charges to MHEC from Alabama, Arkansas, Louisiana, Mississippi, Ohio, South Carolina, and Virginia. These states were selected for comparisons because, like Maryland, they all have Historically Black Institutions, and all have grappled with the 1992 Fordice ruling. [Note: The *United States v. Fordice* case was decided in the U.S. Supreme Court in 1992 resulting in an eight to one ruling that the public universities in Mississippi had not sufficiently racially integrated and that the State must take further affirmative action to integrate to comply with the Fourteenth Amendment's Equal Protection Clause. The Court found that while Mississippi had "abolished the legal requirement that the races be educated separately," the State had not done enough to dismantle its prior system of segregation established by law and must remove policies and practices "without sound educational justification" that "can be practicably eliminated" that continue to have segregative effects (*United States v. Fordice*, 505 U.S. 717, 731).]

In addition, they have state coordinating agencies. somewhat like Maryland's Higher Education Commission, with general oversight of all postsecondary institutions in the state. This is in contrast to states like Georgia that has a single state system of higher education under a governing board that functions more like the University of Maryland System. For each of these states NCHEMS compiled information in seven areas that allow comparisons to help the reader understand some differences, similarities, and promising practices (more detailed summaries can be found in Appendix B). They include:

1. Number of HBIs
2. The agency's scope of authority
3. Institutional mission approval
4. Triggers for different levels of program review
5. Objection process (if any)
6. Definitions of unnecessary program duplication
7. Special considerations for historically black institutions

1. Historically Black Institutions

- **Maryland**: Four public HBIs
- **Alabama**: Seven public and seven private HBIs
- **Arkansas**: Two public and two private HBIs
- **Louisiana**: Four public and two private HBIs
- **Mississippi**: Five public and two private HBIs
- **Ohio**: One public and two private HBIs
- **South Carolina**: Two public and six private HBIs
- **Virginia**: Two public and three private HBIs

Reflection(s): Maryland is the only state among these examples that has only public HBIs.

2. Agency Scope of Authority

- **Maryland**: Coordinating commission for all postsecondary schools in Maryland (public and private). Also approves out of state institutions to operate in Maryland.
- **Alabama**: Coordinating board for public two-year and public four-year institutions. No oversight over new programs offered by Private, Non-Profit Independent Higher Education Institutions.
- **Arkansas**: Coordinating board for public two-year and public four-year institutions. No oversight over new programs offered by Private, Non-Profit Independent Higher Education Institutions. The Arkansas Division of Higher Education (ADHE) serves as the administrative staff for the Arkansas Higher Education Coordinating Board.
- **Louisiana**: Coordinating board for public two-year and public four-year institutions. No oversight over new programs offered by Private, Non-Profit Independent Higher Education Institutions.
- **Mississippi**: Has two Boards – one for community colleges and one for state universities. There is no state-level oversight over new programs offered by private, non-profit independent institutions of higher education.
- **Ohio**: Ohio Department of Higher Education is charged with approving academic programs at public institutions of higher education and authorizing independent (not-for profit and forprofit) institutions and out of state institutions to provide academic credit in Ohio.
- **South Carolina**: Public institutions of higher education must receive approval from the Commission or the General Assembly before any new academic program is offered. No oversight over new programs offered by private, non-profit independent institutions of higher education.
- **Virginia**: Certifies private and out-of-state postsecondary educational institutions operating in Virginia (exempts institutions of higher education formed, chartered, or established in the Commonwealth of Virginia that have maintained a main campus under the same ownership for 20 years and have remained fully accredited). The Council's academic review policies are obligated "to advocate for and promote the development and operation of an educationally and economically sound, vigorous, progressive, and coordinated system of higher education in the Commonwealth…"

Reflection(s): As is evident, most of these states' higher education agencies have similar directives as Maryland's, however most of them offer no academic program oversight for private institutions in their state.

3. Institutional Mission Approval

- **Maryland**: Responsibilities include to review, negotiate as necessary, and grant final approval of mission statements for each public institution of higher education and each regional higher education center that requests or receives State funding. No control over private institutions' missions.

- **Alabama**: Approves missions for public institutions. Includes periodic reviews of classification and prescription of the role and scope of institutions.

- **Arkansas**: Establishes appropriate role and scope designations for each public higher education institution in consultation with representatives of the colleges and universities. These are reviewed on a periodic basis and incorporate consideration of the changing economic needs of the state.

- **Louisiana**: There are four higher education management systems:
  ○ Louisiana State University Systems (nine institutions and Health Sciences Centers) ○ University of Louisiana System (Nine public comprehensive universities – including one HBCU – Grambling State University) ○ Southern University and A&M College System (four historically black institutions plus an Agriculture Research and Extension Center)
  Louisiana Community and Technical College System (12 colleges)

  The Louisiana Board of Regents works at the level of overall state interests and defines each institution's role and scope. Campuses define their own missions within their systems.

- **Mississippi**: Each institution develops a concise statement of its core mission for approval by the Board, which includes the major emphasis, scope, and character of the institution's instructional, research, and public service programs, and describes those characteristics and features that distinguish it from other institutions. Core mission statements are reviewed annually and may be modified with prior approval of the Board.

- **Ohio**: General Standards for Academic Programs require that the institution has a clearly articulated mission.

- **South Carolina**: Commission approves mission statements for all public higher education institutions.

- **Virginia**: State Council approves public institution mission statements.

Reflection(s): Like Maryland, these comparative states focus primarily on the public institutions. Some have the role of approval and others of review only. None of them have jurisdiction over the missions or mission language of private institutions.

4. Triggers for Levels of Program Review (and exceptions)

- **Maryland**: Proposals that require circulation for a 30-day objection/comment period are those for new academic programs (degrees and stand-alone certificate programs), and substantial modification to an existing program. In the regulations, "substantial modification" means a major change in an existing program or area of concentration (usually 30% or more). If the proposal does not require circulation, MHEC conducts an internal analysis and prepares a recommended action for review. MHEC makes a final decision, and the institution is notified.
- **Alabama**: Extensions and alterations are defined as non-substantive (require Commission notification by information) and substantive (require formal Commission approval). Proposals

for new options, tracks, specializations, and concentrations, etc., to be added to existing programs are reviewed as substantive extensions under the Commission's "Guidelines for the Review of Extensions and Alterations of Existing Programs." The purpose of the Commission's review and decision on a proposed extension is to ensure that it is reasonable in the context of the existing program and in terms of its impact. Generally, if less than one-third of the major of the proposed extension/alteration is in common with the major of the existing program(s), the change will be considered a new program.

- **Arkansas**: Larger changes are reviewed by the Coordinating Board for approval; smaller changes are reviewed by the staff. New Programs and new Organizational Units require Coordinating Board approval (Submission of a Letter of Intent and a Proposal). These include:
  - new program of instruction, regardless of mode of delivery, that results in a certificate or degree;
  - any change in academic organization to establish new administrative units, if such units are to serve as a base for faculty appointments or are to offer degree programs;
  - new off-campus instruction centers where students can receive a minimum of 50 percent of the credits required in a major field of study;
  - reactivation of any certificate, degree program or unit formally on inactive status for five years.

  Program and unit changes requiring staff approval:
  - changes in name only of an existing degree, certificate, major, option or organizational unit;
  - establishment of a center, division, institute or similar major administrative unit not offering primary faculty appointments or degree programs;
  - addition of a specialized course of study as a component of an approved degree program if the number of new theory courses added to the curriculum does not exceed 21 semester credit hours;
  - establishment of a new instruction, research or service institute/center fully supported by sources other than state funds that will definitely terminate when nonstate funding ceases;
  - deletion of options, certificates, degree programs and organizational units.

    Program/unit deletions will be reported annually to the Coordinating Board; placement of a certificate or degree program on inactive status; change in structure to reorganize existing organizational units; graduate and undergraduate certificate/endorsement program with specific parameters; reconfiguration of existing undergraduate or graduate degree programs to create a new degree; and existing certificate or degree program in which at least 50 percent of the total credits will be offered at an off-campus location or through distance technology.
- **Louisiana**: All new degree programs at the associate's level and above – including certificate programs – require Board of Regents approval. Program proposals at the associate's, baccalaureate, master's, and doctoral levels, will be circulated to Chief Academic Officers statewide for review and comment. The proposing institution is responsible for addressing issues and concerns raised during the Chief Academic Officer review and identified by Regents staff before consideration for approval by the Board of Regents. Proposals for all graduate

degrees (master's and doctoral) and for highly technical and/or selective baccalaureate degrees require review by an external consultant. External reviewers are selected by Regents staff according to guidelines. External evaluations will be conducted as desk reviews and do not require on-site visits. The cost associated with an external review of proposed programs will be paid by the proposing system and/or institution. Regents staff will manage the external review process and coordinate with campus staff for the reviewer's payment and final submission of the report.

- **Mississippi**: Modifications requiring formal action include any renaming, consolidation, suspension, or deletion of a degree program. Changes to Classification of Instructional Programs (CIP) codes require no formal action by the Board of Trustees but rather require the approval of the Associate Commissioner of Academic and Student Affairs.

- **Ohio**: Actions requiring staff approval include new degrees by all public institutions, new undergraduate majors or degree programs, new graduate majors or degrees at public universities but also at two of the state's private universities, preparation leading to Ohio Educator Licensure or Endorsement when awarded independent of a degree or degree program, requests for on-ground field and clinical experiences by out-of-state institutions, and requests for solicitation of Ohio students by out-of-state for-profit institutions.

- **South Carolina**: All new degree programs, regardless of mode of delivery, location, institution, or existence of the same or similar programs in the state, require Commission approval. Trigger is 50 percent or more of a program of study not previously approved by the Commission. A change in the level of degree requires Commission approval (e.g., B.A. to M.A.). Any changes in teacher preparation programs requires approval, as do changes that result in a CIP Code change.

- **Virginia**: New degree program that includes content in a discipline or field not currently offered by the institution, shares fewer than one-fourth of its courses (excluding general education core) with an existing program; and requires a separate CIP code require Council approval. Approval also needed for changes to a delivery format of existing programs, a 50% change in credits required, a change in the licensure-qualifying status of a degree program, or alteration of program requirements that results in major changes to purpose, focus or identity. Generally, program modification proposals are delegated to staff, but new degrees approval remains with the Council.

Reflection(s): There are a lot of similarities among the states reviewed. All require new academic programs to be approved but there are some differences regarding when the Commission/Board/Council gets involved in reviews. Smaller changes are delegated to staff. Some states use a 30% course credit change to trigger a review, others use a 50% trigger. While this seems rather arbitrary, it does have implications for the workload of the reviewing agency and can reduce the number of reviews annually. In addition, some of these states, like Arkansas and Louisiana, are completely updating procedures while others, like Alabama and Mississippi, are making only incremental changes.

5. Objections process for new program proposals

- **Maryland**: Once MHEC determines a proposal is complete (including payment), if it is for a new program (degree or stand-alone certificate) or a substantial modification to an existing program, it is circulated to the MHEC distribution list and posted on the MHEC website. During the 30-day objection/comment period either the Secretary or an institution may file an objection based on one or more of the following criteria:
  - Inconsistency of the proposed program with the institution's approved mission ○ Not meeting a regional or statewide need consistent with the State Plan ○ Unreasonable program duplication which would cause demonstrable harm to another institution
  - Violation of the State's equal educational opportunity obligations under State and federal law

  If an objection is filed, the proposing institution is notified and offered the opportunity to respond. The Secretary determines if objection is justified. If justified, Secretary negotiates with applicable institutions and may collect additional information and/or considers collaborations between institutions. Internal analysis is completed, and recommended action is prepared for review. The final decision is made and proposing/objecting institutions are notified. An institution may request a full review of the decision to be conducted by the 12-member Commission.

- **Alabama**: Notification of Intent to Submit a Proposal (NISP) can be submitted to the Commission at any time, but at least two months prior to proposal. The proposing institution sends a copy of the NISP to each university chief academic officer. Peer review of the proposal with specific questions and recommendations is completed within one month of the proposal submission. Representatives of the proposing institution and Commission staff members meet to review questions and recommendations derived from the peer review and to reach agreement on any necessary proposal changes. Completion of the staff recommendation and action by the Commission occurs within two months of the peer review. The staff recommendation encompasses the expected program outcomes which will be assessed in subsequent program review. Commission approval of a program requires agreement by the institution to discontinue the program if expected outcomes are not met.

- **Arkansas**: Any proposed new program is reviewed by Academic Affairs Officers of the other institutions in the state. They have 10 working days after they receive the proposal to comment, question or request additional information on the proposals. Institutions proposing programs/units must provide a written response to state department within 10 days of receipt of the requests for clarification or additional information. If an objection/concern(s) cannot be resolved, Arkansas Department of Higher Education may intervene.

  After the comment period, ADHE academic affairs staff review proposals and comments received. ADHE staff present a synopsis of all new proposals to the Presidents' Council for their review before the proposals are included on the agenda for the Coordinating Board meeting. It is usually a consent item.

Following a favorable action on the proposals by the Coordinating Board, institutions are expected to initiate programs/units on the dates specified in the Board agenda items. Coordinating Board approval will terminate for programs/units not initiated within two years of Board approval, and a new proposal must be submitted for Coordinating Board consideration if the institutional administration still wishes to initiate the proposed program/unit.

- **Louisiana**: There is not really an objection process in Louisiana as they have taken a more continuous improvement and longer-range planning approach to avoid the animosity frequently produced by an objection process. See the next section (*Program Duplication*) for more details of their process.

- **Mississippi**: Since the 1990's Mississippi's Board of Trustees' Policies and Bylaws has had a narrowly defined institutional objection process. In its current form it states that when an institution proposes a new off-campus program that another state university within 50 miles of the site does not offer, the universities should explore collaboration. This allows the closest institution to decide if they want to object to the request, collaborate with the other institution, or yield to the requesting institution. The specificity added to the policy in 2013 around what is considered "close proximity" is reported to be useful to all institutions as the 50-mile radius provides very specific boundaries. The policy has resulted in modern collaborations in areas of the state with specific workforce shortages (e.g., two public institutions are now developing a joint degree proposal that would increase the student teaching opportunities in the Jackson Public Schools system).

  Even though the Academic and Administrative Guidelines state that "it is expected that all new degree programs will not be unnecessarily duplicative of other programs within the System," and while other institutions may object to a program they view as duplicative, this process is not codified in policy.

- **Ohio**: The focus is on a peer review of the proposal. Content experts from Ohio public colleges and universities may provide peer review for proposals. The peer review focuses on the qualifications, experience and sufficiency of faculty, the curriculum and its alignment with expectations for the discipline, the need for the degree and the resources (e.g., classrooms, libraries, technology, laboratory, equipment) available to support the degree. Peer institutions have 30 days to submit comments. The institutional mentor works with the institution proposing the program to address questions or concerns raised during the peer comment period. If the program is recommended to the Chancellor for approval, a background summary is posted on the Ohio Department of Higher Education website for a 10-day public comment period.

- **South Carolina**: Does not have an actual objection process. Public institutions meet to consider new programs. They have chosen not to vote 'no' but can abstain in these settings.

- **Virginia**: Upon publication of a Program Announcement in Council's Agenda Book, institutions already offering similar degree programs may provide feedback on the need for new degree programs and the potential effects of an additional program in Virginia. The chief academic officer of any non-proposing institution writes to the State Council of Higher Education (SCHEV)

and the proposing institution within 30 days. SCHEV recommends that the feedback address (at least) the following two questions: Given your experience offering a degree program with this CIP code at this level, do you perceive the need for additional degree programs in Virginia? If not, why not?; and, would an additional degree program in Virginia with this CIP code at this level be likely to have a negative, positive or no effect on your institution's degree program, including student enrollment and access to external resources such as experiential learning sites?

The proposing institution must address any such feedback in the program proposal when submitted to SCHEV. Failure to address feedback received may result in action on the proposed program being deferred to a future Council agenda. The proposing institution is obliged to respond to any concerns. Many withdraw after negative comments are received; however, they can resubmit in the future.

Reflection(s): There are some real differences between some of these states and how Maryland handles objections. Most states use a constructive peer review process, or at least an early review process. There are also consequences for new program performance. In Alabama, new programs are reviewed within a year of approval with the agreement that the program will be discontinued of the outcomes are not met. In Arkansas, the Coordinating Board may rescind the program's approval if the new program does not start on time. Louisiana has completely redesigned how institutions and the state agency work together to facilitate the efficient statewide coordination of academic degree program offerings. Virginia recently added the objection process, but it does not have permanent consequences and institutions can simply reapply at any time. As this report was being written MHEC rescinded its approval for a program that an objecting institution had promised to start but did not. Whether that program will be resurrected by the original institution is unsure as its planning and resources have been redirected.

6. Program Duplication

- **Maryland**:

A. The elimination of unreasonable program duplication is a high priority. Ordinarily, proposed programs in undergraduate core programs consisting of basic liberal arts and sciences disciplines are not considered unnecessarily duplicative. Unreasonable duplication is a more special concern in vocational/technical, occupational, graduate, and professional programs which meet special manpower needs. The issue of how a proposed program meets an institution's local and State area needs shall be addressed (COMAR 13B.02.03.09.A).

B. Evidence demonstrating that a proposed program is not duplicative of similar offerings in the State shall be submitted by the institution. At a minimum, this evidence shall be substantiated on the basis that the proposed program to be offered is not unreasonably duplicative of existing programs in a specific geographically proximate location in the State.

C. Determination of Duplication.

(1) In determining whether a program is unreasonably duplicative, the Secretary shall consider:

(a) The degree to be awarded;

(b) The area of specialization;
(c) The purpose or objectives of the program to be offered;
(d) The specific academic content of the program;
(e) Evidence of equivalent competencies of the proposed program in comparison to existing programs; and
(f) An analysis of the market demand for the program.
(2) The analysis shall include an examination of factors, including:
(a) Role and mission;
(b) Accessibility;
(c) Alternative means of educational delivery including distance education;
(d) Analysis of enrollment characteristics;
(e) Residency requirements;
(f) Admission requirements; and
(g) Educational justification for the dual operation of programs broadly similar to unique or high-demand programs at HBIs.

- **Alabama**: Required by Alabama code, the commission seeks, through the use of advisory committees, to study needless duplication of education, research, or service programs and programs which are not adequately provided in the state, and shall make findings and recommendations to the institutions, the Governor, and the Legislature that would strengthen the total program of higher education in the state. To accomplish this the Commission requires institutions proposing new programs to submit a letter of intent that includes a list of programs at the same degree level that use the same or similar CIP codes. If no similar programs exist within Alabama, list similar programs offered within the 16 Southern Regional Education Board states. If the proposed program duplicates, closely resembles, or is similar to any other offerings in the state, the proposal must provide justification for any potential duplication, as well as any plans to explore program collaboration with other institutions. They must explain the nature of the collaboration.

  When proposing new option/track/specialization/concentration, institution must explain how the proposed extension impacts other public institutions. In addition, the criteria for the evaluation of proposals for new programs of instruction includes demonstrating the need for the new program:
  - Will the program satisfy a clearly documented need (institutional and societal) in an effective and efficient manner?
  - If the program duplicates or closely resembles another program already offered in the State, can this duplication be justified?
  - What characteristics of the identified need require that it be met by a new program rather than an existing program?

  For purposes of this criterion, duplication is defined as the same or similar six-digit CIP code and award level in the Commission's academic program inventory. Institutions should consult with the Commission staff during the Notification of Intent to Submit a Proposal (NISP) phase of the proposal development to determine what existing programs are considered duplicative of the

proposed program. For doctoral programs, regional and sometimes national need should be addressed.

- **Arkansas:** The AR Department of Higher Education (ADHE) requires any proposal to use the new program form. The form asks the proposing institution to list institutions offering a similar program.
  - Proposed undergraduate program – list institutions in Arkansas ○ Proposed master's program – list institutions in Arkansas and region ○ Proposed doctoral program – list institutions in Arkansas, region, and nation ○ State why proposed program is needed if offered at other institutions in Arkansas or region. ○ List institution(s) offering a similar program that the institution used as a model to develop the proposed program.
  - Provide a copy of the e-mail notification to other institutions in the state notifying them of the proposed program.

  If an objection/concern(s) is received from an institution, they reply to the institution and copy ADHE on the email. That institution should respond and copy ADHE. If the objection/concern(s) cannot be resolved, ADHE may intervene.

- **Louisiana**: As a part of the Louisiana Board of Regent's mission, they approve new degree programs and guard against unnecessary duplication of academic programs. To accomplish this, the Regents have implemented a new process. They will review annually the next threeyear plan developed by each institution. These plans signal expected changes for the institutions. As this new three-year planning structure is being implemented, in the first year, it is a one- year plan and build from there to the three-year plan. There are two stages to the plan:

  1. A spreadsheet of the three-year plan that answers these questions:
     a. How a new program it fits in the role, scope and mission of the institution, and
     b. How it supports state goals, which include attainment and equity.
  2. What degree plans the institution expects to propose:
     a. What will the impact of the new degree be?
     b. What is the success of the most recently proposed degree plans?
     c. How is the institution handling low producing degrees on campus?

  There are other key elements of this new process:
  - New three-year plans are presented at the same time as budget proposals, so they are more easily linked and analyzed.
  - Regents plan to be part of shaping collaborations on degree offerings for both new and low performing programs.
  - Regents continually look at gaps between existing and proposed degrees and state needs (e.g., $1 million appropriated by the legislature as seed money for cyber security)

  To evaluate unnecessary program duplication, the Regents now rely on the three-year plans that become public, so all institutions know one another's plans. The evaluation of a new program proposal is not an up or down vote, but a chance to ask meaningful questions:
  - Can there be any institutional collaboration? ○ How can statewide investment be balanced based on needs?

The new program review process uses a modification of one first established by the University System of Georgia (which includes all public colleges and universities in the state except those in the Technical College System of Georgia), and looks like this:

- All use the same form developed by the Board of Regents. It has 14 pages with 50 questions and campuses are reporting it is useful (see Appendix C for a copy of the full form).
- The form leads campuses step-by-step through everything that needs to be explained for the review.
- Campuses must use the Regent's form, and the systems are agreeing to use it as well. ○ The responses on the form become public and are sent to all the campuses Chief Academic Officer to react to the strengths of the proposal (it does not include options to object).

The Regents also ask for a 360-degree review to include the evaluation of similar programs offered by neighboring states and regional agreements. This helps with the evaluation. For example, if the University of Arkansas offers a similar program that is not performing well, then why should Louisiana support one?

The annual academic planning process provides the opportunity for collaboration among institutions, encourages innovation in program design to meet employer and student needs, and minimizes unnecessary program duplication.

- **Mississippi**: The Board reviews the productivity of academic programs in order to ensure effective use of State resources, reduce unnecessary academic program duplication among universities, and eliminate unproductive programs. New programs, modifications to degree programs, and implementation of distance learning programs all must show that they aren't unnecessarily duplicative of other programs within the System.

- **Ohio**: As part of the new program approval, all institutions are required to provide evidence of the need for the proposed program in Ohio. Proposals or change requests should include data driven market research that addresses collaboration with employers, potential for employment upon graduation, competitive advantage of the submitting institution, reasonable nonduplication with other programs (for public institutions). Ohio public institutions are encouraged to collaborate with other institutions through the University System of Ohio Program Sharing Initiative or other mechanisms to use state resources effectively and efficiently and to maximize the talents and resources of faculty and programs at all University System of Ohio schools. Duplication of programs is not in and of itself unreasonable. In fact, duplication of programs may be necessary in response to state and local workforce needs and economic development initiatives. Institutions are encouraged to investigate and pursue avenues of student-centered collaboration.

- **South Carolina**: In its enabling legislation, the South Carolina Commission on Higher Education is charged with "examining the state's institutions of higher education relative to…programs and missions," including a review of program offerings with the objective of "reducing duplication, increasing effectiveness, and achieving economies" Relative to academic programs at the public colleges and universities, the Commission meets this accountability mandate through the approval of new academic degree programs; by ensuring programs offered by the institutions are consistent with their mission; and by monitoring institutional compliance with statewide

degree program productivity standards. Similar programs in the state offered by public and independent institutions are required on the application form for new programs. Definition: Duplication occurs when an academic program closely matches another academic program in *content, location, or audience*. The application asks for similarities and differences with other programs at both public and private institutions. New program application includes: Impact on Existing Programs - Will the proposed program impact existing degree programs or services at the institution (e.g., course offerings or enrollment)?

- **Virginia**: SCHEV considers duplication in program review/approval. Will the program duplicate similar offerings in Virginia? If so, what are the needs (justifications) for the state to duplicate these efforts? How many similar programs are offered in the state; where? What is the enrollment strength and graduation rates of these similar programs?
  Must provide a comparison of existing degree programs to the proposed degree program. The comparison should focus on the curriculum, the specific course requirements for the core program, experiential learning requirements, specialization, and required sub areas of the program (e.g., concentration, emphasis area, focus area, option, specialization, or track). In case of concerns from institutions already offering similar degree programs, explain whether and how those concerns should be answered.

  In the guidance document for Facilitated Staff Approval of Four-Year Institution Degree Programs, it states that no more than two other degree programs at the same degree designation level are already approved at Virginia public institutions. Also, that the proposal includes the number of similar or related degree programs and verifies that by CIP code, degree program name, or primary focus that no more than two other degree programs are offered among all public institutions.

Reflection(s): All these states consider the issue of unnecessary or unreasonable duplication of programs within their states. Many require institutions to document similar programs offered by other institutions and justify how their proposed program is sufficiently unique. This is based on criteria established by the approving agency. However, there is no common definition in use by states for what constitutes unnecessary or unreasonable duplication, and they use different procedures for avoiding unnecessary or unreasonable duplication. Some, like Maryland, seem to favor an approach that protects other institutions from any harm. Others, like Alabama, Arkansas, and Louisiana seem to focus more on access for students to needed programs. Both require that proposing institutions look not just within their state but also in neighboring states for similar programs. Some states have very specific definitions of unreasonable duplication and others are more vague. Those without clear definitions are more likely to be unable to justify decisions to approve or disapprove new programs without being seen as acting in an arbitrary manner.

7. <u>Special Considerations for Historically Black Institutions</u>

- **Maryland**: Duplication analysis includes educational justification for the dual operation of programs broadly similar to or high-demand programs at Historically Black Institutions.
- **Alabama**: There does not seem to be program review considerations for their HBIs.

- **Arkansas**: There is no program review considerations, but all new requests for role/scope changes to accommodate new programs asks about any special audiences to be served (Black, Latinos, and Native-Americans) as well as about the current numbers of those same populations served.

- **Louisiana**: The Regents new approach to working with institutions focuses on improving the public institutions and helping them meet state goals, including equity goals.

- **Mississippi**: The Board is agnostic to HBIs in the new program review process, however in the 1975 Ayers Settlement in Mississippi the Historically Black Institutions were given authority to offer special programs that aligned with their missions (e.g., Jackson State University was given engineering). Those special programs are exempt from the Board's regular low performing program reviews.
- **Ohio**: No special accommodations for HBCUs in their program review process, but there is a funding supplement for Central State (public HBI) and Shawnee State (for Appalachian students). Lip service given to unnecessary duplication, but if a program meets the quality standards, then they are going to be approved.

- **South Carolina**: The only public HBI is South Carolina State. The Commission is currently considering adding an exemption to its bi-annual review of program performance at state institutions for HBCU status as a distinctive identity. Without that exemption, its programs would be subject to the test of program viability (enrollment and graduation data), which if failed result in sanctions.

- **Virginia**: Staff reported that when Virginia HBIs propose a new program, the program is approved.

Reflection(s): In the academic review process in Maryland, there seems to be some deference given to HBIs as reflected in the central role of the objection process academic program reviews. While some of the comparison states also have exclusions for program reviews for HBIs, some do not. A few (like Arkansas and Louisiana) have developed longer-view perspectives for program reviews that help institutions better understand one another's plans and open the doors to greater collaboration, innovation, and service to the state's needs. Some of the promising practices are decades old while others are newer:

- *While the processes for evaluating unnecessary program duplication in Louisiana are relatively new, they are based on practices initiated in Georgia several years ago. In Georgia they begin with clear plans from the institutions in which their aspirations for new programs are included. This is exactly what Louisiana is currently phasing in.*

- *Arkansas has used their process of defining the role and scope of institutions (which we are subsuming under 'operational mission') based on documented practice versus just aspiration since about 1999 to be able to define unnecessary program duplication and provide institutions with frameworks for future development. To define an operational mission, it is necessary to explicitly determine an institution's clients to be served, current program/service mix, comparative advantage, and assets.*

- *Virginia has only recently added the possibility of institutional objections to other's proposed new programs. However, the culture of inter-institutional trust is sufficiently strong that objections are rarely raised. The policy that allows the objection, also requires objecting institutions to offer detailed analysis of the reasons for the objection and the proposing institution is always free to re-submit their new programs in the following review cycle.*
- *Mississippi has used a narrowly defined process of objections that still results in interinstitutional collaborations.*

Maryland is unique in two major regards. Maryland is the only state in our comparison list whose HBIs are all public. Also, MHEC is the only one of these state agencies that bases their program review process almost entirely on regulations. Program reviews are typically considered within a context of broader state planning, efforts aimed at strengthening institutions within the framework of their agreed-upon missions, and attention to responsiveness to students' and employers' needs.

Five Year review of MHEC Program Review Activities

In order to assess MHEC's performance on program reviews, NCHEMS requested information from reviews conducted from 2017 through 2022. MHEC did not have all the data in a single database, consequently NCHEMS received two data sets from MHEC that were used for these analyses. One data set consisted of approved programs added to the Academic Program Inventory between 2017 and June 8, 2022. The data in that data set do not allow users to compile information on total proposal submissions. The second dataset is comprised of objections received in the same time period.

The following tables reflect an emphasis on the quantity of proposals MHEC reviewed (as the data allowed), the source of objections to the proposed new programs and the outcome of those objections, as well as field of study that generated the objections.

Table 1. Commission Review Activity, 2017 through June 8, 2022

Number Of Program Proposals Objected To	Number Of Requests for Commission Review	Ratio (and percent) of Times Commission Overturned Secretary's Decision / Number of Requests for Commission Review
41	10	1/9 (11%)

Note: there is a Commission Review Meeting scheduled for July 27, 2022; thus, the Commission's decision is pending, and the ratio is out of 9 and not out of ten. In that one case in which the Commission overturned the Secretary's decision, the Commission decided in favor of the proposing institution.

Table 2. Number of New Academic Programs Added to Inventory by Field, 2017 - June 8, 2022

(ordered by most to least number of programs added to inventory)

Field	Number of New Academic Programs Added to Inventory
Health	148
Liberal Arts, Math, Social Science, Languages, Other	112
Business	107
Education	69
Trades/Tech	67
Interdisciplinary Studies	66
Natural Sciences	64
Services	59
Computer & Information Sciences	51
Visual and Performing Arts	37
Engineering/Architecture	32
Law	1
Total	***813***

Table 3. Number of Proposals Receiving an Objection by Field, 2017 - June 8, 2022

(ordered by most to least number of proposals that received an objection)

Field	Number of Proposals that Received an Objection
Health	20
Business	10
Computer & Information Sciences	3
Engineering/Architecture	3
Services	2
Trades/Tech	2
Liberal Arts, Math, Social Science, Languages, Other	1
Total	***41***

Table 4. Number of Objections Lodged by Objecting Institution, 2017 - June 8, 2022
(ordered by most to least number of objections lodged)

Objecting Institution	Number of Objections Lodged	2017 - 2022 % Resolution in Favor of Objecting Institution
Morgan State University	11	6/11 (55%)
University of Maryland, Baltimore	6	1/6 (17%)
University of Maryland, Eastern Shore	6	1/6 (17%)
Coppin State University	4	0/4 (0%)
Towson University	4	0/4 (0%)
University of Baltimore	4	2/4 (50%)
Allegany Community College	3	0/3 (0%)
Frostburg State University	2	0/2 (0%)
Salisbury University	1	0/1 (0%)
Anne Arundel Community College	1	0/1 (0%)
Cecil College	1	0/1 (0%)
College of Southern Maryland	1	0/1 (0%)
Maryland Association of Community Colleges (MACC)	1	1/1 (100%)
Montgomery College	1	0/1 (0%)
Notre Dame of Maryland University	1	1/1 (100%)
Sec. Fielder-MHEC	1	1/1 (100%)
University of Maryland Global Campus	1	*pending commission review*
University of Maryland, Baltimore County	1	0/1 (0%)
Total	***50***	***13/50 (26%)***

Note: Several proposals received objections from more than one institution. Consequently, there is a difference between the number of proposals that received an objection (41) and number of objections lodged (50) in the same time period.

Table 5. Number of Objections Received by Field and Proposing Institution 2017 - June 8, 2022

Field and Proposing Institution	Number of Proposals that Received an Objection
Business	
Loyola University Maryland	4
Baltimore City Community College	1
Capitol Technology University	1

McDaniel College	1
Notre Dame of Maryland University	1
Towson University	1
University of Maryland, Global Campus	1
Subtotal	*10*
Computer & Information Sciences	
Loyola University Maryland	1
Morgan State University	1
University of Maryland, Global Campus	1
Subtotal	*3*
Engineering/Architecture	
Johns Hopkins university	1
Stevenson University	1
University of Maryland, College Park	1
Subtotal	*3*
Health	
Notre Dame of Maryland University	5
Frostburg State University	2
Goucher College	2
Stevenson University	2
Capitol Technology University	1
Hagerstown Community College	1
Maryland University of Integrative Health	1
McDaniel College	1
Mount St. Mary's University	1
University of Baltimore	1
University of Maryland, Baltimore	1
University of Maryland, Baltimore County	1
University of Maryland, College Park	1
Subtotal	*20*
Liberal Arts, Math, Social Science, Languages, Other	
Southeastern University	1
Subtotal	*1*
Services	
Lincoln College of Technology	1
McDaniel College	1
Subtotal	*2*
Trades/Tech	
Capitol Technology University	2

Subtotal	*2*
Total	***41***

While these tables are enlightening in and of themselves, there are several things worth noting about what these tables reveal:

- They point to the reality that many Maryland higher education institutions are seeking to respond to state workforce needs. Most new programs in the last 5½ years have been in health related fields. The topic of clinical placements and faculty came up during several stakeholder meetings and requires a more strategic and transparent approach.
- Health programs also attracted the most objections -- 14 percent—followed by business. This suggests that some programs in high demand in Maryland may face unusually high barriers to approval and may be limiting the extent to which institutions are able to respond to state needs
- Sixty-six new programs in Interdisciplinary Studies were added, while zero proposals in this field received objections. This field may require closer attention since it may be a place for innovation but also a place for finding ways to make a program different than others offered but perhaps not always in a way that meets industry and student demand.
- The reported concerns from Maryland's higher education institutional leaders are not proportionate to the level of objection evaluation in which MHEC actually engages (see section on Evidence from Stakeholder Engagement below). Over the 5 ½ year period, a total of 813 programs were approved to operate in Maryland. Forty-one program proposals attracted objections; a relatively small number given the total volume of proposal activity. This reality points to the impact of this process on institutional trust for MHEC. It is exactly why many states have quit or scaled back their use of a contentious objection process.
- The Commission received requests for a Full Commission Review 10 out of the 41 instances in which a new academic program proposal received an objection. Out of those 10 requests for Full Commission Review, nine were held (one is scheduled for late July 2022) and only one has resulted in the Commission overturning the Secretary's decision. This supports a sentiment expressed by several stakeholders that the high level of resources required to prepare for Full Commission Review are not worth the effort for proposing institutions.

Evidence from Stakeholder Engagement

NCHEMS sent two teams to listen to leaders of institutions in Maryland during the first week of April

- Sally Johnstone and Alvin Schexnider visited University of Maryland Eastern Shore, University of Maryland System Office, Coppin State University, Morgan State University, and Bowie State University. At each campus they met with the Presidents and chief academic staff members. At the USM they met with the Chancellor Jay Perman, Vice Chancellor Joanne Boughman, and Associate Vice Chancellor Toni Coleman. Sally Johnstone also met with the staff at the MHEC office, Secretary James Fielder, Assistant Secretary Emily Dow, and Dr. Trish McCown.

- Brian Prescott and Sarah Torres Lugo meet with university and sector leaders in Annapolis either in person or via a Zoom link. The leaders were from:
  - Maryland Association of Community Colleges,
  - Maryland Independent College and University Association,

- Maryland Department of Labor,
- Department of Legislative Services,
- St. Mary's College of Maryland,
- University of Baltimore,
- University of Maryland College Park,
- University of Maryland Baltimore County,
- University of Maryland, Baltimore,
- Frostburg State University,
- Towson University,
- University of Maryland Global Campus, and ▪ Salisbury University.

Through these listening sessions and discussions, NCHEMS acquired the following information regarding MHEC's academic program review process:

When an institution submits a new program proposal to MHEC, it is shared with other public and private institutions in Maryland. MHEC staff indicated that if a non-exempt program is proposed for which there is already one offered in the state (regardless of location), an objection is likely to be held as valid regardless of the strength of the evidence accompanying the objection. MHEC staff indicated that location of the providing institution is not an issue because any institution can now offer their approved programs on-line (based on their activities during the COVID pandemic shutdown). They do not seem to consider such things as whether an institution has the capacity to support online learning nor the success rates of students studying online (see the 21st Century Distance Education Guidelines https://www.c-rac.org/post/c-rac-statement-on-distance-education-guidelines for other important considerations). Nor do they consider the needs of students who prefer taking classes face-to-face (e.g., lack of technological access or abilities, lack of safe and quiet places from which to participate in an online class, support from other students and faculty offered in face-to-face settings). In actual practice, MHEC creates workarounds for competing programs that seem to render their treatment of online and physical presence programs inconsistent at best (e.g., UMGC's Community College Leadership program).

MHEC's first come-first serve treatment of program approval has contributed to an atmosphere of distrust among the institutions. The stakeholders attributed this in part to MHEC's system of allowing anyone to object to new program proposals. There were cases described in which an objection was raised to a new program, MHEC sustaining the objection, and the objecting institution then hiring the faculty who were working at the institution that had proposed the new program. In another incident, a new program was approved over an objection lodged on the basis of insufficient supply of qualified faculty, then the institution proposing the new program hired away faculty from the existing program. This could lead to an arms race for specialized faculty that is likely to increase costs to students. Additionally, cases were cited in which objections were vague or did not fully address questions MHEC has specified for this purpose, yet MHEC sustained them. Members of the campuses' communities also told us that they spent many months and person-hours developing a new program proposal, submitted them to MHEC only to have MHEC, after the fact, suggest collaboration among other institutions. Faculty and academic administrators expressed a great frustration with what they perceived as a somewhat arbitrary decision process used by MHEC to approve or disapprove new program proposals. There is not an easily understood, transparent standard for what constitutes unnecessary duplication of programs.

In talking with leaders at the universities with the University System of Maryland, which also go through a program review process prior to submitting proposals to MHEC, none expressed distrust for the process or their sister institutions. Their program review process allows for communication among the institutions very early in the process to development of a new program. This can open the door to reasonable collaboration, which the MHEC process does not.

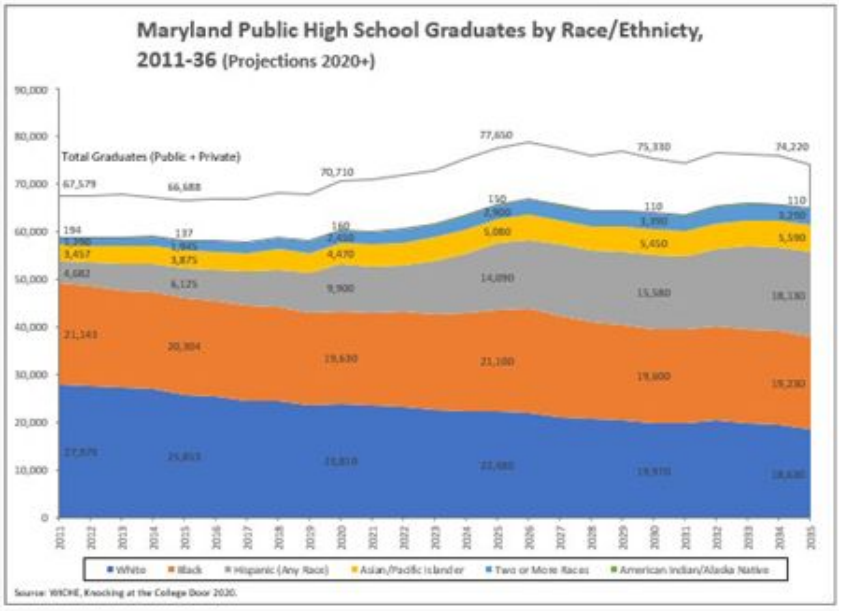
One of the greatest concerns for institutions offering programs in the healthcare field is the lack of available clinical sites for those programs that require such placements. They also expressed concern that MHEC was allowing out of state institutions to place students in scarce clinical sites in Maryland.

It is interesting to note that Alabama, Arkansas, Georgia, Louisiana, South Carolina, and Virginia do not use an institutional *objection* stage to new program proposals. Some states encourage institutions to comment on others proposed programs, but the relationship between the institutions remain civil. As one state-level academic officer remarked regarding using letters of intent to solicit other institution's objections, "It produced very awkward results and did not include enough evidence on which to base informed decisions."

By way of summary:

1. Maryland bases its program review decisions on adherence to specific regulations. This has led to a process and decision criteria that are piecemeal rather than a coherent package.
2. Other states take a more wholistic approach and base their decisions on the extent to which the proposed program contributes to state goals and priorities.

Maryland's projected change in Demographics



This chart from WICHE's *Knocking at the College Door*, 2022 (www.knocking.WICHE.edu) shows that after 2025, the number of Maryland's high school graduates will begin to decline. The group leading this decline is White students. The number of Black graduates is also predicted to decline but by a smaller rate. The only reason Maryland's overall decline is not larger, is the continuing increase in Hispanic high school graduates. Most nearby states are projected to also see declines and growing diversity in the pipeline for college students.

This information is important because it means that Maryland's higher education institutions will be competing for a smaller pool of students. Many states are already grappling with this reality. Some are planning for public institution consolidations as a partial solution to these looming demographic changes (e.g., VT, PA, ME, CT, MN). Leaders in these states are setting up greater incentives for more collaboration within both academic programs and student support services. They are not closing down the more vulnerable campuses as they realize the economic and cultural impacts of such closures have on communities but are rather maintaining physical presences with shared services and programs among multiple institutions.

It is a future that Maryland should be considering as it plans for the times ahead, and for taking a more wholistic approach to unnecessary program duplication and moving toward basing decisions on contributions to state plans and needs.

C. ASSESSMENT OF MHEC'S DATA USE

This section reviews how MHEC is currently using certain types of data and includes suggestions for how staff might get better use from the various sources.

MHEC and CIP Codes

All programs operated by Title IV-eligible institutions are categorized by CIP code (Classification of Instructional Programs). The CIP is a standardized way to describe the content of a program, whereas a name/title can be whatever an institution chooses to use. As a matter of assessing whether programs are duplicative, the CIP code is insufficient by itself. But it provides a first view of the degree to which duplication may exist—rarely will programs with duplicative content have different CIP codes (at least at the two-digit level). More importantly, the CIP code can be analyzed in combination with workforce demands in a state in order to determine how aligned educational supply is with that demand. This alignment is always going to be imperfect, because not all occupations are tightly coupled with academic programs and because graduates willingly or unwillingly find employment in occupations that may not be "in field." But the CIP code nevertheless serves as the defining data element for investigating this alignment.

MHEC requests a suggested CIP code in its program proposal form. But although MHEC collects and tracks a substantial amount of data on every proposed program as it navigates their regulatory approval process, the CIP field is not one of those that is regularly captured in its databases at an early stage. In order to fulfill an NCHEMS data request for this project, MHEC needed to develop a new process for querying its database on approved programs for the CIP code and undertake a manual review of CIP codes for programs that were not approved, or that overcame an objection before their approval. Our

request was aimed at examining the relationship between workforce and other state and student needs on the one hand and program proposals that face objections and/or are not approved or recommended on the other. That is, are programs that meet a clear state need facing more obstacles to approval in MHEC's process than is generally the case? MHEC's creative and speedy work on this was much appreciated, but NCHEMS encourages MHEC to make more regular use of the CIP code in assessing the effectiveness of its program review process in meeting state and regional needs in the future.

Use of Maryland Longitudinal Data System (MLDS)

As states across the country move from access to a greater emphasis on student success, the MLDS can be a great resource for the state to better understand which institutions and which programs are actually successful. NCHEMS evaluated MHEC's use of the MLDS and observed the following:

- Contents and Structure of MLDS ○ The MLDS contains information for all individuals who have a record of *both* work or education in the state of Maryland. Work history is based on state-held Unemployment Insurance (UI) records and education history is drawn from all public education sectors in the state including GED. Education records include all for-credit enrollments; data on noncredit enrollments are just beginning to be captured. Individuals with only a UI record and no education history are not included in MLDS, although the state's UI data system does include a record for all UI-eligible employees.
  - Data in MLDS date back to 2007-2008, but the most complete and reliable data date from 2013. At first (before 2013) only fall enrollments were captured but all terms are included after that point.
  - MLDS has multiple state agency clients, but MHEC is among the most prominent. Designated MLDS staff are assigned to one or more clients on a more-or-less permanent basis. For example, one staff member is appointed 50% to MLDS and 50% to MHEC and that person used to work at MHEC.
  - Unit record data in MLDS are uniquely identified. At first, the Social Security Number (SSN) was used but there is now a special unique identifier assigned by the agency with identity resolved using SSN, first and last name, gender, and several other data elements.
  - MLDS unit record data are closely held by the agency and cannot be shared beyond it. This is true even if the records are de-identified. Only aggregate data can be shared or reported. Even in this case, a set of disclosure protocols governs what can be disclosed and in what form. For example, a minimum cell size of ten cases is applied to block the use of different data elements to potentially identify individuals and the data are perturbed using IPEDS-like procedures to ensure confidentiality. MLDS unit record data are also recorded ***exactly*** as reported by the institution so there is no attempt to correct apparent errors. This is only done in cases where MLDS prepares a report, which may involve dropping cases for various reasons or otherwise modifying the data used. When this is done, it is carefully documented. This is based on a strict interpretation of the 1976 Privacy Act; other states are more liberal in their sharing of these data.
  - MHEC was once part of the reporting link to the federal IPEDS system. Institutions reported data to IPEDS via MHEC. But this is no longer the case, and institutions now report directly to IPEDS. This leaves MHEC unaware of what institutions report until the final data are made public.

- Like most other UI-based employment records, MLDS data include industry of employment but not actual occupation. Occupation must be derived from other contextual variables and doing this is uncertain. These data also do not include reliable information about an individual's workplace location, making it difficult to assess where within Maryland an individual works; in aggregate, this limits the ability of MLDS to provide regional insights. Data also only include quarterly earnings, not a wage rate; MLDS must derive estimates for annual earnings, wage rates, and intensity of employment (full-time, part-time, etc.). Finally, data are not available in Maryland's UI system for federal employment, self-employment, and military service. Out-of-state employment is also not captured but may be available through data-sharing arrangements with other states.
- Individual institutions frequently use MLDS data to address specific questions of interest to them. This is done through direct requests from the institutions to MLDS. To a lesser extent, individual researchers do this as well. Established protocols at MDLS are used to prioritize and respond to these requests. MHEC has no information about what is being requested.

- Uses of MLDS Data by MHEC ○ Most MHEC use of MLDS data is to track enrollment and degree completion by program to monitor program productivity and to look at potential program duplication across the state. This is part of MHEC's mission to conduct regular program reviews. All data used for this purpose is prepared by MLDS staff per request by MHEC and a lot of these requests are *ad hoc* to answer a particular question.
  - MHEC also uses MLDS data to examine employment outcomes as part of the program review process. Questions of interest here include employment rates for program enrollees and completers as well as earnings. As with other questions, responses are prepared by MLDS staff as aggregate reports.
  - Other areas of interest to MHEC center on specific program enrollees or graduates. Prominent among these are the outcomes of teacher education programs and those in the health professions (e.g., Nursing).
  - Both MHEC and MLDS are increasingly constrained by resource shortfalls which limit their ability to hire the analytical staff needed to conduct studies that they would like to conduct.

- Unmet Needs for MHEC ○ MHEC has a particular need for data on subsequent professional licensure. While they have some of this, more complete data would help resolve the significant problem of not knowing an individual's occupation from the UI record. Getting such data requires direct contacts and Memoranda of Understanding (MOUs) with individual professional licensing agencies in the state.
  - MHEC should be using the employment projections being produced by the Department of Labor. Those are future-oriented, whereas MLDS is always going to be based on the past.
  - Another specific need is for outcomes information about veterans—their success in both education and employment.
  - A significant challenge is getting information about out-of-state students and graduates. This includes resident students who subsequently move out of state for employment or further education or students whose education and employment records are interrupted because of a change in residence. MHEC and MLDS have memorandums of understanding with surrounding

states to help address this challenge, but it remains important and institutions near state borders face particular constraints in accounting for interstate migration.

Some important data sources have uneven quality and resources are limited to address this challenge. An important example is data about financial aid applications and awards.

Issues related to data quality and consistency across various reporting levels and can be a challenge, especially since institutions now report directly to IPEDS without the ability of MLDS to monitor this reporting. At the same time, institutions are very differently motivated with respect to their attention to the quality and coverage of the data they report to IPEDS and MLDS. There are particular concerns here about the four Maryland HBIs as they are likely to have historically limited institutional research resources.

D. MARYLAND MIGRATION DATA

During the listening sessions with leaders of the higher education institutions and the associations representing them, several people brought up the issue of Maryland as a net exporter of students. This could have implications for MHEC activities going into the future. In checking Maryland's migration data, NCHEMS found a more complex picture that may well be related to Maryland's proximity to the nation's capital and the people who come there for employment. While Maryland is a net exporter of students, they are an importer of individuals with all levels of higher education.

U.S. Census Bureau American Community Survey data of 22- to 64-year-olds in the 2017-19 period indicate that Maryland was a net importer of individuals at almost all education attainment levels. Where this was not true—for those with just some college, but no degree or just an associate degree—the data were inconclusive. The following table suggests that Maryland has an opportunity to convert those with less than a high school diploma and just a high school diploma to become first-time college students in Maryland.

Table 7. Population Age 22-64 Average Annual Net-Migration by Education Level, 2017-19

Net-Migration Estimate, All Education Levels	Migration Summary at 90% Confidence Level, All Education Levels	Net-Migration Estimate, Less than High School Diploma	Migration Summary at 90% Confidence Level, Less than High School Diploma	Net-Migration Estimate, Just High School Diploma	Migration Summary at 90% Confidence Level, Just High School Diploma
17,353	Importer	1,934	Importer	4,189	Importer

The following table summarizes the migration in and out of Maryland of first-time degree/certificate seeking freshman undergraduate students in the fall of 2018. The source for these data is the Integrated

Postsecondary Education Data System (IPEDS). Data are restricted to degree-granting institutions participating in Title IV. Data reflect in-migrants from U.S. territories and foreign countries; out migrants to foreign countries cannot be accounted for.

Year	In-Migration	Out-Migration	Net-Migration (in minus out migration)
2018	10,359	16,898	-6,539

While population data show that Maryland has more 22- to 64-year-olds migrating into Maryland than out of Maryland, enrollment data indicate that more first-time degree/certificate seeking freshman undergraduate students whose state of residence when first admitted was Maryland are attending an institution outside of Maryland than in Maryland.

E. SUMMARY OF FINDINGS AND OBSERVATIONS

Maryland is facing shifting demographics with decline in both White and Black graduates from high school. With the continuing growth in Hispanic graduates, in about a decade the numbers of Black and Hispanic graduates will be greater than White students. In addition, the numbers of Black, White, and Hispanic high school graduates will be roughly equivalent. Maryland may see the institutions receiving designation as Hispanic Serving Institutions (HSI). How these fit within the constellation of TWIs and HBIs should be part of planning for the future. It is also likely that Maryland institutions will need to engage in more collaboration than is currently the case to efficiently accommodate the needs of a declining pool of high school graduates.

In the latest numbers available, it seems that once Maryland students graduate from high school, thousands leave the state for their higher education. While some migrate to Maryland from other states, the net migration in 2018 was not in Maryland's favor. In light of the predicted decline in the numbers of Maryland high school graduates this migration trend becomes even more important.

Criteria for Unreasonable/Unnecessary Program Duplication

MHEC's processes put a great deal of emphasis on managing how new programs may affect HBIs regarding unreasonable program duplication. The following highlights a broad summary (and a little reiteration) of some of the more interesting approaches to this issue that do not seem to result in the same type of inter-institutional distrust reported in Maryland. A distrustful relationship does not lend itself to effective collaborations between institutions. Collaborations are emerging in many states to ensure students have access to the academic programs they need in the formats that work for them even as enrollments may be declining. All the states examined have different approaches to defining unreasonable/unnecessary program duplication, but those with the most well-developed processes rely on multiple variables that concern program content, audiences served or to be served, whether the program is available through multi-state or regional agreements, as well as the approved tightly defined

mission of the institution. Here are some brief examples that should be reiterated (more details are available in the section above listing Maryland and Other State Comparisons):

The State Council of Higher Education for Virginia has recently added a period for commentary when an institution proposes a new program. The program announcement, VA's version of a letter of intent is typically 4 -5 pages in length. It is comprehensive and includes curriculum and the enrollment plan. Most of the time when an institution has concerns about a program proposal, the proposing institution withdraws the proposal. There is no formal appeals process, but institutions can strengthen their proposal and simply re-submit.

The Louisiana Board of Regents work at the level of state interests and define each institution's role and scope. Campuses define their own missions within their systems. To help with their degree approval process, they introduced a new process in the Fall of 2022. To have an informed process of program approval as well as defining roles and scopes, the Regents needed to define and clarify each institution's lane of operation. Institutions now create 3-year plans that are reviewed annually by the Regents. The new program review process starts with a form developed by the Board of Regents. The form leads campuses step-by-step through everything that needs to be explained for the review. The responses on the form become public and are sent to all the campuses' Chief Academic Officer to react to the strengths of the proposal (it does not include options to object). The Regents also ask for a 360-degree review to include the evaluation of similar programs offered by neighboring states and through regional agreements. This helps with the evaluation. For example, if the University of Arkansas offers a similar program that is not performing well, then why should Louisiana support one?

South Carolina has a strong culture and preference for letting the market decide whether programs are successful or not. Institutional missions are legislatively defined based on the level of degree. Most of the institutions are focused on serving their own regions. The big issue with duplication is between the comprehensives and the research universities. Concerns are typically about the cost of a program. South Carolina has no definition of duplication, and it does not routinely come up or get much attention. If a proposed program falls outside an institution's mission, the institution works to get its legislator(s) to sponsor a bill to allow for that program. This leads to numerous carve-outs for specific institutions and programs in statute.

The Arkansas Higher Education Coordinating Board is charged with establishing appropriate role and scope designations for each public higher education institution in consultation with representatives of the colleges and universities. The statute under which this responsibility is assigned to the Coordinating Board also requires that these designations be reviewed on a periodic basis. The legislature also required these designations to incorporate consideration of the changing economic needs of the state. The Commission developed a three-pronged framework (audience, array of programs already offered, and special features) for establishing each institutions' mission. It contracted with a third party to articulate those based on evidence from the institution, which were then approved by the Commission. Clear statements of role and scope that adhere to this framework benefit both institutions and the Commission. The framework allows for a less onerous new program approval process as well as a more substantive and clear academic program review process. Their use also frees the Commission up to take on a more proactive policy leadership role in helping to more closely link programs with student,

state, and regional workforce needs, as opposed to maintaining an unnecessarily rigorous compliance- and regulatory-oriented stance with respect to institutions' efforts to innovate.

The mission elements used in Arkansas include audiences to be served, the general array of programs to be offered, and any special or unique features of institutional mission.

The differentiation between *duplication* and *unreasonable duplication* of academic programs requires a multi-factor consideration to be understandable to stakeholders and consistently enforceable. In the example below, one factor is the program content itself, another is the intended audience. Other factors can be the documented needs in a state from both an employer and potential student perspective, fit with concisely stated institutional mission, and capacity within the institution as well as clinical sites if needed. Thus 'unreasonable program duplication' may look like this:

Simple Example to Illustrate Concept [Maryland will define its own critical variables]					
*Duplication (**D**) versus Unreasonable Duplication (**UD**) of Academic Programs*					
	Proposal 1	**Proposal 2**	**Proposal 3**	**Proposal 4**	**Proposal 5**
Does proposed program have very similar content to another institution's program?	yes	yes	yes	yes	yes
Is the target audience for proposed program well defined and unique from other institutions?	no	yes	yes	yes	yes
Is there adequate evidence of workforce demand for both graduates and of interest among potential students for program?	yes	no	yes	yes	yes
Does proposed program fit within institution's approved mission?	yes	yes	no	yes	yes
Does proposing institution have capacity to offer the program and have identified any needed clinical sites with supporting agreements?	yes	yes	yes	no	yes

Results	UD	UD	UD	UD	D

In this example, if an institution proposes a new academic program that has similar content to another's in the state, it would be considered an unreasonably duplicated program only if certain other factors were not met. In the table above those factors would include whether the targeted audience was well defined and unique from others, whether there was documented workforce demand and student interest, whether the program fits the proposing institution's mission (previously approved by MHEC for the public universities), and the capacity for the institution in the program area as well as an assessment of the availability of clinical sites (if needed).

Using this approach, decision-making bodies have a more refined basis for judging unnecessary program duplication. MHEC already walls off undergraduate programs that are at the core of general education programs from being subject to this test. They also recently tried to lump cyber security programs into that exception due to the high level of employer needs. This was not successful, in part, because they do not have any existing process nor any criteria for easily assessing whether a program can and should be duplicated at multiple institutions in the state. States that use a criteria-based approach for assessing unreasonable/unnecessary duplication of academic programs usually start with clearly defined missions for institutions that include information on the audience the institution serves or strives to serve. Documentation of institutional capacity is also considered. They also use an evaluation of the success the proposing institution has had meeting the promises made for recently approved new programs.

This simple multi-factor decision matrix takes much of the guess work out of how decisions are being made and allows an institution to anticipate the likelihood of a new program being compliant with state requirements.

F. PRINCIPLES DRIVING RECOMMENDATIONS

It is usually helpful to develop principles like these to provide useful guidance for developing recommendations, implementing them, and otherwise managing the program review process. By making them explicit, any actions become more transparent and understandable.

1. Students and state needs first.

In keeping with MHEC's charter, any adjustments to the program review and approval processes and procedures should prioritize the public interest above all. In MHEC's case, this means that the needs of students, together with the state's workforce and economic development needs, come first. In this, institutions are a means to an end—they provide opportunities for students to achieve their goals and the supply of educated talent needed to address employers' requirements for workers—not the ends themselves. The array of programs offered throughout the state should reflect that priority; institutions should not get exclusive license to operate programs in the face of clear evidence that such a license serves as a barrier to satisfying the needs of students and the state.

Complementing the public's need for programs is the expectation that institutions individually and collectively operate efficiently to minimize costs to students and the state. This suggests that the state should exercise some oversight of institutions and their programs to ensure that they are collectively addressing workforce needs in the state, and that the state should actively engage in efforts to identify emerging needs that are being inadequately addressed.

2. Support thriving institutions, especially those that make disproportionately large contributions to equitable outcomes

Notwithstanding the priority for placing students' and the state's interests first, it is in Maryland's interest that it remains host to strong, thriving, and diverse institutions. A critical opportunity to achieve that goal is in recognizing and capitalizing on the particular strengths of its varied institutions. Moreover, Maryland's history compels it to be especially focused on the health of its four public HBIs, which provided educational access to populations underserved by other institutions in the past and today. Therefore, it is essential that, in exercising policy leadership in interactions with state policymakers, MHEC prioritizes the goal of addressing historic inequities in support to HBIs, including by helping to foster their ability to attract a racially and ethnically diverse population of students. The responsibility for reviewing and approving programs is just one avenue through which MHEC can exercise leadership in reaching this goal. Others, some of which will be more effective than through program review and approval, include advising the legislature on budgeting priorities—for both operating and capital budgets, ensuring that students attending the HBIs are taking full advantage of the state's financial aid programs, supporting healthy and planned innovation at the HBIs, and articulating the special and historic role the HBIs play within the state's public sector.

Nevertheless, in exercising its responsibility for reviewing and approving programs, MHEC should also deliberately consider the specific and differentiated roles that institutions fulfill in meeting state needs. The impact on access to programs by students of color, low-income status, and other important characteristics will be ***one important but not exclusive factor*** in its decision making. Furthermore, MHEC's efforts in evaluating the alignment of programs to employment should likewise include a focus on how well new and existing programs at each institution are serving students of color, especially in terms of how they are faring in the workforce. It can then use that information as an element in its planning activities, particularly in terms of identifying the institutions best positioned to deliver programs that meet workforce needs in ways that also achieve equity goals.

3. Remove barriers to innovation

As the global economy becomes increasingly interconnected and dependent on knowledge and skills acquisition, the evolution of industries and occupations has accelerated. Educational providers responding to meet these changing demands must be nimble enough to do so effectively. Failure to create these conditions will mean that neither the State of Maryland nor its public and private institutions can thrive. Program review and approval processes and procedures must evolve alongside these demands if they are not going to be barriers to the necessary innovation. That means that MHEC's processes and procedures should be as streamlined as possible while assuring student protection and efficient state investments while promoting institutional efforts to meet clear needs in creative ways. Unnecessary bottlenecks should be eliminated wherever they are found.

4. MHEC's processes and procedures should yield decisions that are transparent, predictable, timely, and based on evidence

The processes and procedures used for program review and approval should enable institutions to have a reasonable expectation of the likely outcome early in their internal program design and development stages. It should be clear what evidence MHEC will use to make its decision and, where appropriate, MHEC can support the program application with its own data (or that of another state agency, such as the SLDS or the Department of Labor). The approach should incentivize the institution to consult with MHEC staff, external experts, and other institutions that might be potential partners, early in the development process. Process requirements should be applied consistently for all institutions and clear definitions of key elements (such as unnecessary duplication) should be broadly shared with and commonly understood by institutions. Institutions need to have a consistent understanding of time-to-market for new programs, and MHEC's process should support that predictability.

5. Stimulate collaboration among institutions

There is a delicate balance to be struck between competition and cooperation among institutions in designing and implementing regulations and related policies affecting postsecondary education. Too often, regulations and other policies provoke unconstructive competition (over students, access to public resources, etc.). It is inevitable that an institution's inventory of academic programs will be an essential feature in a competitive landscape. Yet it is all too typical for institutions to "go it alone" in developing and marketing programs when a collaborative solution could better meet the needs of the students and the state, as well as potentially being more efficient to operate. MHEC's program review and approval policies should be implemented in ways that avoid additional, unnecessary impediments to institutional collaborations. Better yet, they should create opportunities for institutions to discover ways they can collaboratively offer programs that are mutually beneficial while addressing student needs. As a neutral third-party with the state's interest foremost in view, MHEC may be able to play a more active role in setting up conditions under which institutional cooperation can flourish.

6. Process integrated with existing structures and other important features of the landscape of postsecondary education in Maryland.

All policies and processes are context-specific, making it necessary to thoughtfully adapt useful practices for the local conditions rather than borrowing them wholesale from elsewhere. Among the most important distinctive features of Maryland include its direct support of independent institutions that both necessitates exercising thoughtful oversight and accountability for those funds by MHEC and complicates implementation of an appropriately fair and transparent program review and approval process. Any revisions must respect the independent action of these institutions in ways that still appropriately address state expectations for what its taxpayers' money is buying from them—one thing it is not likely intended to buy is unproductive competition between independent and public institutions. Additionally, in exercising authority over the location in Maryland of other states' institutions branches (such as clinical sites), the state can weigh students' and employers' needs for local educational options alongside Maryland's institutions' requirements for access to qualified instructors.

7. Online vs. physical presence programs

While all higher education institutions pivoted to online delivery of academic programs during COVID lockdowns, that does not mean all of Maryland's institutions have developed strong online educational programs. Online education means students have access to all support services in that medium without

having to come to a campus. It also means that students who study in online programs are expected to achieve success at that the same levels as those who study in face-to-face programs. In addition, most successful (and fiscally sustainable) online programs use academic teams to develop learning resources and to evaluate student performance. Unless these elements can be demonstrated, programs offered online and those offered on a physical campus should not be considered the same in program duplication analysis.

8. Program review and approval process consistent with the statewide strategic plan for postsecondary education in Maryland

Although MHEC bears responsibility for periodically reviewing and revising Maryland's strategic plan for higher education and for implementing the program review and approval regulations, it nevertheless is worth making an intentional statement that these two activities should coexist in close alignment. It is also important to recognize that, by itself, the sum of program review and approval decisions is not a sufficient expression of the state's strategic plan in action. Nor should the strategic plan be a sum of institutional priorities and mission statements. Coordinating agencies like MHEC have a duty to do a more deliberate assessment of the needs of the state as reflected in compelling data and information and input drawn from a diverse set of stakeholders, capture that in the strategic plan, and then to coordinate responses among institutions. The program review and approval process are important aspects of that effort.

9. Guidelines used for the program review and approval create incentives for institutions to deepen their expertise within their existing missions rather than expanding their missions

This can be accomplished by simplifying the process for approval of new programs that fall within the boundaries of their current mission and making the process for approval of programs that expand missions much more rigorous. Having a multi-year planning process in place makes this more feasible for MHEC as it allows for better planning on when resources for reviews will be needed.

10. Public institution's operational missions approved by MHEC are unambiguous and not open to multiple interpretations

Having very clear operational missions becomes the basis of any subsequent program reviews. These will go a long way in removing some of the distrust institutions now have in MHEC processes and action. These should be based on specific criteria and evidence that can also be used by Maryland's private institutions if they choose to put themselves into the evolving MHEC process for new program reviews.

G. RECOMMENDATIONS

The following represent NCHEMS' recommendations for changes in Maryland to enable more productive and efficient outcomes in higher education.

1. MHEC should better integrate its planning and program review functions by making potential contributions to the statewide plan a major factor in the program approval decision process.

2. MHEC's authority to approve missions needs to be clarified. The current interpretation of MHEC's authority is such that its approval of institutional mission statements does not lead to

any useful differentiation of the roles that the state's institutions play in meeting state and student needs, nor does it give any guidance for the programs that best suit institutions' roles for use in the program review process. A more coherent, strategic approach would be for MHEC to approve ***operational*** missions, which is distinct from a mission statement. The latter is usually a short statement of lofty aspirations and shared values that serves to unite and inspire far more than it gives voice to the strategic roles an institution plays in a complex postsecondary ecosystem. By contrast, an operational mission expresses those roles clearly based on institutions' array of programs, audiences served, and other special features such as an institution's status as an HBI. (See the Arkansas example in Section B). Using operational missions would have much more impact and meaning in MHEC's design and implementation of its program review and approval function.

- With its authority clarified and working with institutions, MHEC should develop tight and measurable mission statements for all public institutions that increase diversity at the HBIs and include equity gap reductions and can be used to assess appropriateness of new programs. MHEC review of proposed programs should start with a determination of adherence to the institution's operational mission. If it is within the operational mission, approval should be automatic.
- Invite private institutions to use the same mission statement template adopted by the publics. If they choose not to, their new programs would be subject to the currently used objection format.
- Whether public or private, the language used to advertise an institution's mission should be up to that institution as long as it is not inconsistent with the approved operational mission.

3. MHEC must adhere to published timelines established in the process for review/approval of new program process and assure the timetable is understandable to institutions. It may be useful to adopt a system that allows institutions to check for themselves where their proposal is in the MHEC review process. This is important because it affects when a program can be announced and offered to students. The timing has a real impact on enrollments.

4. Maryland's institutions are likely to need to collaborate more in the near future to assure student access to needed programs and institutional viability (see the demographic projections in Section B). While MHEC's leadership in encouraging institutional collaboration has not been strong in the past, there are ways MHEC could develop such a role. By making the process of program review more transparent and supportive for the institutions, MHEC may be able gain some trust. In addition, higher education appropriation can be modified to 'reward' institutions that collaborate with others. Finally, MHEC should have a role in identifying programmatic areas that could benefit from inter-institution collaboration by deepening its activities in identifying workforce needs (See Section C on use of data sources). This should be an ongoing process with regular reviews.

5. Even with MHEC's program review process adjusted to focus more intensively on operational missions and new programs' alignment with them and the statewide plan, the state will remain interested in assessing whether programs are more or less duplicative of one another, particularly relating to program review activities (as opposed to program approval activities). To

aid in such assessments, MHEC should develop measurable criteria for determining when a proposed new program would be considered an unreasonable/unnecessary duplication. These criteria should be transparently and consistently applied. The following table includes examples of criteria that may be used to distinguish duplication versus unreasonable or unnecessary duplication of academic programs. Maryland should create a more thorough framework for decisions on duplication as a way to increase trust in the program approval process, reduce time spent on the process by MHEC staff and staff of the proposing institution, as well as increase effectiveness in responding to student, regional workforce, and state needs.

Simple Example to Illustrate Concept [Maryland will define its own critical variables]					
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	Proposal 1	**Proposal 2**	**Proposal 3**	**Proposal 4**	**Proposal 5**
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Is the target audience for proposed program well defined and unique from other institutions?	no	yes	yes	yes	yes
Is there adequate evidence of workforce demand for both graduates and of interest among potential students for program?	yes	no	yes	yes	yes
Does proposed program fit within institution's approved mission?	yes	yes	no	yes	yes
Does proposing institution have capacity to offer the program and have identified any needed clinical sites with supporting agreements?	yes	yes	yes	no	yes

Results	UD	UD	UD	UD	D

As other states have done that have higher education institutions near their borders, MHEC may want to expand its criteria for unreasonable/unnecessary duplication to include institutions in some bordering states.

6. MHEC should require three-year plans from institutions and review those on an on-going basis (see Louisiana example in Section B). These can become the first stage of promoting interinstitutional collaboration.

7. MHEC has been using the program review process to address historic inequities in campus resources among the HBIs and to help them attract a more diverse student body. This violates several of the principles in the previous section. It does not put students' needs first. It creates barriers to innovation and does not support thriving institutions. It is not transparent nor predictable, nor is it based on evaluated evidence. It certainly does not stimulate interinstitutional collaboration, nor is it consistent with Maryland's statewide plan. Using the operational mission approval and three-year planning processes would be a more productive way to strengthen HBIs and help them meet their modern goals.

8. MHEC should discontinue its practice of allowing institutions to object to others new proposals for programs. It makes sense to ask for comments, but these should be to help improve the new program not to set up barriers to innovation that could help students and employers. MHEC should encourage institutions to review one another's three-year plans to examine areas for potential collaborations to strengthen each collaborating institutions' program offerings and student access. This could eliminate the need for divisive post hoc proposal objections.

9. MHEC should consider using criteria from the 21st Century Distance Education Guidelines (https://www.c-rac.org/post/c-rac-statement-on-distance-education-guidelines) for considering the equivalency of online and on-ground programs. MHEC should not assume that all institutions have adequate student support services, that all students have the skills and places to work online, and that the outcomes for online and on-ground students are equal at all institutions.

10. MHEC should adjust its triggers for a full program review. Other states use a trigger of 50% change to a program versus MHEC's 30%. This could alleviate some time-consuming staff activities. MHEC should also reconsider whether new concentrations comprised entirely of courses in existing approved degree programs should be subject to a full program review or to some other, less onerous notification requirement. Also, MHEC should rely on professional accreditors (for appropriate programs), peer reviewers, or external experts to do that analysis. It is not possible for members of the MHEC staff to have the full depth of knowledge and

awareness of new practices in every program field. This more thorough review should be coordinated by MHEC staff.

11. MHEC should establish criteria for program success at institutions and review those on a regular basis. This can help with the program approval process and with assuring state needs are actually being met. For public institutions, MHEC can establish minimum productivity requirements that will trigger a discontinuance process if not met (which could include an institutional appeal).

12. In light of the divisive and protracted litigation preceding this report, MHEC should work to build trust among all the institutions but especially the HBIs. MHEC should be intentional about utilizing the expertise and input of institutional leadership.

13. Appointments to the Commission should avoid potential conflicts of interest. Institutional leaders reported that former presidents serving on the Commission displayed biases.

H. DEPLOYMENT OF NEW STAFF

In order for MHEC to evolve into an agency that really serves the state's and students' needs and better support the health and development of Maryland's public higher education institutions, MHEC needs to utilize its allocated new 10 FTE in the following ways.

- MHEC needs four more skilled staff in their data analysis team, staff who will be able to:
  - Contribute to better and more predictable use of the Maryland Longitudinal Data System,
  - Use other data that speak to workforce projections (including the projections produced by the State Department of Labor and data on job postings) to enable MHEC to better evaluate student success related to specific programs it has approved,
  - Enable MHEC to better understand the regional picture of student and state needs within Maryland, not just the statewide view,
  - Work with MLDS to get Maryland's data incorporated into the Postsecondary Employment Outcomes tool hosted by the U.S. Census Bureau (https://lehd.ces.census.gov/data/pseo_experimental.html). The PSEO tool provides detailed views of where graduates of various programs and institutions are employed (in Maryland and other states), as well as information on their earnings. These data can be extremely helpful in helping to evaluate program proposals against workforce needs in a dynamic and highly mobile part of the country.

- One additional staff member to act as liaison with institutions to assure website reflects up to date information regarding programs available from each institution and giving institutions a single point of contact.

- One additional staff member to coordinate external program reviews (using either peers or experts) who could also coordinate productive sessions with institutional leadership.

- Two additional staff members to conduct workforce analyses on an ongoing basis:
  - To develop deep expertise in determining types (and locations) of workforce needs, and ○ To assess productivity of degree and certificate programs designed to respond to these workforce needs.
- One additional staff member with expertise necessary to:
  - Develop a well-considered state plan;
  - Identify major educational gaps that need to be addressed in order to attain the goals established in the plan; and
  - Determine the contributions required of different institutions to meet the state goals.
- One additional staff member with expertise to coordinate marketing Maryland institutions to Marylanders (to stem some of the out migration) and enhance the capacity of Maryland institutions to serve state needs.

APPENDIX A.

NCHEMS Team Members

Sally Johnstone led the team. She worked on all the tasks in the project with particular emphasis on the specifics of the academic program review process, comparisons with other states, interviews with stakeholders, and recommendations for improvements to the MHEC's structure and process.

Sally M. Johnstone is the president of the National Center for Higher Education Management Systems (NCHEMS), which is known nationally and internationally for its Knowledge First approach for state policy makers. She also leads the Foundation for Student Success, which focuses on campus culture change resulting in equity gap eliminations. Her career includes roles as a provost at a MN public comprehensive university, a vice president at Western Governors University (WGU), founding director of WCET at WICHE, an assistant dean and a faculty member. She has also managed projects funded by the William and Flora Hewlett Foundation, Bill & Melinda Gates Foundations, Lumina Foundation, U.S. Department of Education, UNESCO, and many projects for states, regional and national higher education organizations, and individual universities. Dr. Johnstone has published dozens of reports, articles, chapters and books related to innovative models and quality in higher education. She is also a commissioner on the U.S. UNESCO Commission, and on the editorial boards for Change magazine (USA) the Journal of Open Learning (UK), and the Journal of Competency-Based Education (US). She has experience testifying before both state and federal legislative committees, as well as international agencies. She holds a Ph.D. in experimental psychology from the University of North Carolina, Chapel Hill.

Brian Prescott was involved in all the tasks for this project and supervised other team members' research activities. He was part of the stakeholder interview team, workforce analysis evaluation, comparisons with other states, and the development of recommendations for the improvement of MHEC's structures and process.

Brian Prescott serves as Vice President at NCHEMS, where he leads and supports projects on behalf of states, state agencies and systems related to state strategic planning, postsecondary finance and affordability, governance and organization, demographics, and student success and workforce outcomes. Recent projects include supporting statewide legislatively created strategic planning commissions in Vermont and Utah, as well as a review and evaluation of the performance funding policy in Florida. His background also includes involvement at the national level in the development and use of data systems to support policy objectives like program quality and informed student choice. Prior to coming to NCHEMS in 2016, Prescott spent 11+ years in a similar role at the Western Interstate Commission for Higher Education (WICHE). He currently serves as a member of the National Student Clearinghouse Research Center's Board of Directors. He holds a Ph.D. in higher education from the University of Virginia.

Alvin Schexnider was an active member of the NCHEMS' team evaluating the academic review process at MHEC and other Maryland institutions. He was also part of the stakeholder interview team and helped identify obstacles faced by MHEC. He was an advisor on the recommendations for improvements.

Alvin J. Schexnider, Ph.D., is principal consultant of Schexnider & Associates, LLC, a management and executive development consulting firm where he specializes in executive coaching and governance. Before retiring in 2007 he was executive vice president and interim president Norfolk State University, an HBCU. Following an 18-month hiatus he came out of retirement to restore a sense of normalcy to

Thomas Nelson Community College (an HBCU), which he led from 2008 to 2011. A former chancellor of Winston-Salem State University (an HBCU), he has held faculty and administrative positions at public and private institutions including Syracuse University, Virginia Commonwealth University and Wake Forest University. A native of Lake Charles, Louisiana, Schexnider earned a B.A. degree in political science at Grambling State University. He received an M.A. and Ph.D. in political science from Northwestern University where he held Norman Wait Harris, Ford Foundation and Woodrow Wilson fellowships. In 2004 he completed the Minority Director Development Program at the Kellogg School of Management, Northwestern University, Evanston, Illinois.

Dr. Schexnider is a Fellow of the National Academy of Public Administration and a Senior Fellow at the Association of Governing Boards of Universities and Colleges (AGB). He is the recipient of numerous honors and awards including the J. Sergeant Reynolds Award for Outstanding Service in Public Administration, The Grambling State University Distinguished Alumni Award, and the Alpha Phi Alpha Distinguished Educator of the Year Award, and the Urban League Silver Star Award for Education. He is a member of the Grambling State University Hall of Fame.

Dr. Schexnider is the author of *Saving Black Colleges* (Palgrave Macmillan 2013) and the co-author of *Blacks and the Military* (Brookings Institution 1982) and has written extensively on public management and higher education. He formerly served on the editorial boards of Public Administration Review and the Journal of Power and Ethics. He was featured in two documentaries regarding construction of the Alaska Canada Highway, one produced for American Legacy in 2003 and another produced for the Public Broadcasting System (PBS) American Experience Series in 2005.

Dr. Schexnider enjoys a long record of public service to the Commonwealth of Virginia. His numerous gubernatorial appointments include: the Commission of Virginia's Future, the Board of Visitors of Virginia State University, the Commission on Local Government, the Virginia Board of Education, the Commission on the Revitalization of Virginia's Cities, and the Virginia Museum of Fine Arts. In August 2021 he accepted a gubernatorial appointment to the State Council for Higher Education of Virginia (SCHEV). He is a former Chairman of the Executive Committee of Richmond Renaissance, Inc. and former Chairman of the Southern Regional Council of the College Board. He is married and the father of a son and a daughter.

Aims McGuiness served in an advisory capacity on this project with particular emphasis assuring recommendations for improvements that fit the national and State laws.

Aims McGuinness is a Senior Fellow with the National Center for Higher Education Management Systems (NCHEMS), a private nonprofit policy center in Boulder, Colorado. At NCHEMS, he specializes in state governance and coordination of higher education; strategic planning and restructuring higher education systems; roles and responsibilities of public institutional and multi-campus system governing boards; and international comparison of education reform. Over the past forty-five years, McGuinness has advised many of the states that have conducted major studies of their higher education systems and undertaken higher education reforms. In 2013-2014, he and his NCHEMS colleague, Dennis Jones, were consultants to the Connecticut Legislative Planning Commission for Higher Education. Over twenty years, McGuinness was active at the international level in conducting policy reviews and advising governments on education policy in more than 20 countries, primarily through the Organisation for

Economic Co-operation and Development (OECD) and the World Bank. He is author of a paper, *A Conceptual Framework for Review of National Regulatory Policies and Practices in Higher Education*, prepared for the OECD Education Committee (EDU/EC (2006)). McGuinness is author of several publications on state higher education policy, university systems and governance. He initiated the *State Postsecondary Education Structures Sourcebook*, a basic reference guide to state coordination and governance in the United States, which is currently maintained and updated through the Education Commission of the States.
McGuinness earned his undergraduate degree in political science from the University of Pennsylvania, an MBA from The George Washington University, and a Ph.D. in social science from the Maxwell School, Syracuse University.

Peter Ewell acted as an advisor on the evaluation of MHEC's capacity to analyze workforce development needs and evaluate market demands for existing programs. He has led such analyses in other states that serve as a framework for recommendations about MHEC's structure and processes.

Peter T. Ewell is a senior consultant for the National Center for Higher Education Management Systems (NCHEMS). A member of the staff from 1981 to 2021, Dr. Ewell's work focuses on assessing institutional and higher education system effectiveness and the outcomes of college. It involves both research and direct consulting with institutions and state systems on collecting and using assessment information in planning, evaluation, and budgeting. He has directed many projects on this topic, including initiatives funded by the W. K. Kellogg Foundation, the National Institute for Education, the Consortium for the Advancement of Private Higher Education, the Lumina Foundation, the Bill and Melinda Gates Foundation, the Spencer Foundation, and the Pew Charitable Trusts. In addition, he has consulted with over 425 colleges and universities and thirty-six state systems of higher education on topics related to performance indicators, institutional effectiveness, and the assessment of student learning. Dr. Ewell has authored or co-authored eight books and numerous articles on the topic of improving undergraduate instruction through the assessment of student outcomes. In addition, he has prepared commissioned papers for many state agencies and national organizations. A graduate of Haverford College, he received his Ph.D. in Political Science from Yale University in 1976 and was on the faculty of the University of Chicago.

Dennis Jones was an advisor on the analysis of MHEC staffing and structure related to their old and potential new responsibilities in academic reviews (with the added workforce needs elements).

Dennis Jones is president emeritus at NCHEMS, where his tenure spans more than 50 years. A nationally recognized expert widely consulted on matters on postsecondary finance, he is the author of numerous reports, articles and book chapters on the subject. He is the author of seminal works on the relationships between appropriations, tuition, and student financial aid and on design principles for outcomes-based funding models. Jones has also led numerous engagements that resulted in changes to state postsecondary finance policies and funding models. He has been a pioneer in the uses of data to inform strategic resource allocation decisions, in the process designing analytical approaches to build evidence for recommended modifications to funding models.

Sarah Torres Lugo served as a primary researcher on the NCHEMS team. She was also involved in the stakeholder interviews. Sarah helped with data collection, organizing, and analyzing.

Sarah Torres Lugo is a research associate at NCHEMS. Her qualitative and quantitative skills allow her to work on a variety of projects focused on improving strategic decision-making in post-secondary education for states, systems, institutions, and workforce development organizations. Her recent work includes managing the stakeholder engagement process for two related projects. In the first project, she was part of the team that conducted the comparison of accreditation standards and practices among institutional accreditors, interviewed key stakeholders, and wrote a report on the findings. In the second project, Sarah helped develop the 21st Century Guidelines for Distance Education in partnership with accreditors and other experts in the field, which are now posted on the Council of Regional Accrediting Commissions (C-RAC). She also serves as a primary staff person for the Foundation for Student Success, working directly with over a dozen minority serving institutions. Sarah earned her Master of Science in Education Policy at the University of Pennsylvania.

Stacey Zis served as a primary researcher gathering data and information from MHEC and the public higher education institutions in Maryland. She gathered information from the MHEC-like offices in Alabama, Arkansas, Louisiana, Mississippi, Ohio, South Carolina, and Virginia regarding the detail of the academic program review processes to be used as comparisons for MHEC and from which best/promising practices will be drawn.

Stacey Zis has a history of leadership and experience in multiple settings including K-12, post-secondary education, and not-for-profit organizations with an ability to see the “big picture” and work collaboratively toward useful solutions. Stacey has been part of the NCHEMS team since 2006 and most recently as a senior consultant working on various projects including the Foundation for Student Success. She currently serves on the Boulder Valley School District School Board.
Although much of her experience is in policy analysis and research, she has a strong background and solid experience in student affairs and academic affairs administration at various institutions including Springfield College, Roanoke College, Virginia Tech, and San José State University.
Stacey holds an Education Specialist Degree in Educational Leadership and Policy Studies from Virginia Tech, a Master of Education, and a Certificate of Advanced Graduate Study in Counseling and Student Personnel from Springfield College in Massachusetts, and a Bachelor of Science in Management from SUNY-Binghamton.

APPENDIX B.

Comparative State Summaries

Alabama

Alabama Commission on Higher Education (ACHE)

Agency Scope of Authority	Coordinating board for public two-year and public four-year institutions. No oversight over new programs offered by Private, Non-Profit Independent Higher Education Institutions.
Commission or Board makeup	Commission consists of 12 members. Ten of these members shall be appointed by the Governor, one shall be appointed by the Lieutenant Governor, and one shall be appointed by the Speaker of the House of Representatives by and with the advice and consent of the Senate.
Mission Review	Criteria for the evaluation of proposals for new programs of instruction include: Is the proposed program within the Commission recognized role of the institution? Instructional role is defined as the matrix of academic subdivision groupings (ASG) and degree award levels approved for a university or two-year college by the Commission. Through the adoption of general parameters guiding role expansion, the instructional role process allows the Commission to set the parameters for new program development through broad guidelines for a five-year planning period. These parameters will become effective upon approval by the Commission and will continue in effect until the adoption of an instructional role policy for the next planning period. Legislated powers and duties include: (6) To cause studies to be made for the purpose of classifying and prescribing the role and scope for each public institution of higher education in Alabama and to recommend such changes in classification or role and scope for such institutions as it deems necessary and which may be agreed to by the governing board of the institution. In making studies and recommendations for the purpose of classifying and prescribing the role and scope of institutions, the commission shall do so without regard for race and traditional role of the institution, provided, however, that in the absence of compelling reasons to the contrary the commission shall give priority to institutions having seniority in years of operation in the service area. When making recommendations for the elimination of duplication of educationally unnecessary programs, absent justifiable reasons to the contrary, the commission shall recommend the replacement of such programs and/or services with programs and/or services that will strengthen and enhance the role of the institution affected. (7) To hear applications from the institutions for changes in classification or role and scope and to recommend to the Legislature for clarification such classifications in role or scope which may not be agreed to by the governing board of any institution.
Triggers for level of review (including exceptions)	Extensions and alterations are defined as nonsubstantive (require Commission notification by information) and substantive (require Commission approval). Proposals for new options, tracks, specializations, and concentrations, etc., to be added to existing programs are reviewed as substantive extensions under the Commission's "Guidelines for the Review of Extensions and Alterations of Existing Programs." The purpose of the Commission's review and decision on a proposed extension is to insure that it is reasonable in the context of the existing program and in terms of its impact. Examples of the criteria used for evaluating the reasonableness of a substantive extension or an alteration: How many of the major courses to be offered by the proposed extension/alteration are offered in the existing program? How will the proposed extension/alteration impact other public institutions? Will the proposed extension/alteration move the program listing to a new two-digit CIP category in the Commission's academic program inventory? What changes in faculty and staff will be required to implement the proposed extension/alteration? What evidence can be presented that this proposed change will benefit students? Reference need or demand studies if available. Substantive extensions/alterations of existing programs and units of instruction include Approval of New Options/Tracks/Specializations/Concentrations As the Result of Program Mergers and Consolidations or New Course Sequences. There is a lengthy description of nonsubstantive as well as substantive changes in regs and in other guidance documents. All proposed extensions and alterations of existing programs and curricula not specifically defined as non-substantive in the regs must be presented to the Commission for approval as substantive changes. If the staff determines that the proposed extension or alteration is a new program or unit and not a reasonable extension/alteration of an existing program, the institution must follow established review guidelines and procedures for reviewing new programs and units. Generally, if less than one-third of the major of the proposed extension/alteration is in common with the major of the existing program(s), the change will be considered a new program.
Letter of intent type of process prior to submitting program proposal (including sequence) Letter of Intent (LOI) process for University of Alabama System similar to that of the University System of Maryland. LOI goes to system for Board of Trustees (BoT) approval. If approved, proposal is eligible to be submitted to ACHE. ACHE and MHEC are both the single, statewide coordinating agency. At 2-year, baccalaureate, and grad level, institutions share with the Commission a letter sharing their intent to submit a proposal. Baccalaureate Programs of Instruction -- Submit a Notification of Intent to Submit a Proposal (NISP) to the Commission at least two months prior to submission of the	program proposal. The NISP will also be sent by the institution to each university chief academic officer. Comments on the NISP by the chief academic officers will be sent to the Commission within three weeks of the receipt of the NISP. Within four weeks of receipt of the NISP, Commission staff and representatives of the proposing institution will meet to discuss institutional comments on the NISP and the program objectives in relation to the needs of the state; to consider any program duplication and explore possible means of collaboration; and to evaluate the centrality of the program to the institution's mission and role. Grauate programs -- Submit a NISP to the Commission at least two months prior to submission of the program proposal. The NISP will also be sent by the institution to each member of the Alabama Council of Graduate Deans (ACGD). Institutional comments on the NISP will be sent to the Commission within three weeks of the receipt of the NISP. Within four weeks of receipt of the NISP, Commission staff and representatives of the proposing institution will meet to discuss institutional comments on the NISP and the program objectives in relation to the needs of the state; to consider any program duplication and explore possible means of collaboration; and to evaluate the centrality of the program to institution's mission and role. The program proposal may be submitted to the Commission at any time beyond two months of the NISP submission. 1. The proposing institution will send a copy of the proposal to each member of the ACGD.

Within three weeks of receipt, the ACGD will evaluate the proposal and seek campus	input on criteria for new programs and to provide questions and recommendations to strengthen the proposal if it is approved. 2. The Chair of the Alabama Council of Graduate Deans will summarize questions and will list any recommendations. This summary will be sent to the Executive Board of the ACGD for feedback and approval. The Chair will forward the approved questions and recommendations to the proposing institution for response. 3. Responses from the proposing institution will be sent to the Chair of the Alabama Council of Graduate Deans within 2 weeks of receiving the ACGD's approved questions and recommendations. 4. Within one week of receipt of the proposing institution's responses, the Chair of the Alabama Council of Graduate Deans will send the ACGD members the institutional responses to questions and recommendations. Each graduate dean will vote to approve each recommendation and the overall proposal. Each member will indicate if institutional presentation before the ACGD is needed. A majority vote is needed to require an institutional presentation.5. The Chair of the Alabama Council of Graduate Deans will send the final version of the questions and recommendations to the ACGD members within one week. Prior to the Commission's second meeting with the proposers, the Chair of the ACGD will inform the Commission of the vote (considered as a "preliminary vote" if there will be an institutional presentation) and reports whether or not the ACGD requires an institutional presentation. There will be a presentation at a regular ACGD meeting if the proposers request it and/or the ACGD requires it. There will not be an institutional presentation if the proposers do not request it and the ACGD indicates it is not needed. 6. Within two weeks of peer review, a second meeting of the representatives of the proposing institution and Commission staff members will be held. The purpose of the meeting is to review questions and recommendations derived from the peer review and to reach agreement on any necessary proposal changes. (c) Staff Recommendation and Commission Action on the Proposed Program: Completion of the staff recommendation and action by the Commission will occur within two months of the peer review. The staff recommendation will encompass expected program outcomes which will be assessed in subsequent program review. Commission approval of a program requires agreement by the institution to discontinue the program if expected outcomes are not reached within the established time frame. The evaluation of program outcomes will entail one or more brief progress reports to the Commission.
	"substantive needless duplication [Alabama code 16-5-8(4)(b)] ""The commission shall seek through the use of advisory committees to study needless duplication of education, research, or service programs and programs which are not adequately provided in the state, and shall make findings and recommendations to the institutions, the Governor, and the Legislature that would strengthen the total program of higher education in the state."" Requirements for letter of intent of submitting program proposal includes: List programs at the same degree level that use the same or similar CIP codes. If no similar programs exist within Alabama, list similar programs offered within the 16 SREB states; If the proposed program duplicates, closely resembles, or is similar to any other offerings in the state, provide justification for any potential duplication; If you plan to explore program collaboration with other institutions, please explain. When proposing new option/track/specialization/concentration, institution must explain how the proposed extension impacts other public institutions.
Duplication	Crieria for the evaluation of proposals for new programs of instructuion includes:
Objections process for new program proposals Need for the Program – Will the program satisfy a clearly documented need (institutional and societal) in an effective and efficient manner? If the program duplicates or closely resembles another program already offered in the State, can this duplication be justified? What characteristics of the identified need require that	it be met by a new program rather than an existing program? (Note: In explaining how the proposed program meets this criterion, an institution may refer to the criterion on collaboration and develop a response that addresses both criteria simultaneously.) For purposes of this criterion, duplication is defined as the same or similar six-digit CIP code and award level in the Commission's academic program inventory. Institutions should consult with the Commission staff during the Notification of Intent to Submit a Proposal (NISP) phase of the proposal development to determine what existing programs are considered duplicative of the proposed program. For doctoral programs, regional and sometimes national need should be addressed." Baccalaureate --The program proposal may be submitted to the Commission at any time beyond two months of the NISP submission. The proposing institution will send a copy of the proposal to each university chief academic officer. Peer review of the proposal with specific questions and recommendations will be completed within one month of the proposal submission. Representatives of the proposing institution and Commission staff members will meet to review questions and recommendations derived from the peer review and to reach agreement on any necessary proposal changes. Completion of the staff recommendation and action by the Commission will occur within two months of the peer review. The staff recommendation will encompass expected program outcomes which will be assessed in subsequent program review. Commission approval of a program requires agreement by the institution to discontinue the program if expected outcomes are not reached within the established time frame. Graduate -- Completion of the staff recommendation and action by the Commission will occur within two months of the peer review. The staff recommendation will encompass expected program outcomes which will be assessed in subsequent program review. Commission approval of a program requires agreement by the institution to discontinue the program if expected outcomes are not reached within the established time frame. The evaluation of program outcomes will entail one or more brief progress reports to the Commission. Four-year -- The approval of a new program of instruction shall require the concurrence of a majority (7) of all the members of the Commission. A program that receives a negative recommendation by a majority vote of Commission members present may be reconsidered after one year at the request of the institution, provided substantive changes indicate the need for reconsideration. A program that receives a favorable vote of a majority of the members present but which falls short of receiving a favorable vote by a majority of the members of the Commission may be reconsidered at the next regularly scheduled meeting at the request of the institution provided substantive changes indicate the need for reconsideration. Two year -- Upon the request of the institution, ADPE may request a second review of the program six months after the program has been disapproved by the Commission on the basis of substantial additional information bearing on previous concerns and issues. If the Commission disapproves a second time, and ADPE does not agree with the Commission's rationale, ADPE may present the program application to the Alabama State Board of Education. The State Board of Education may then request a second reconsideration by the Commission.
Appealing Decision on Academic Program Proposal	statute 16-5-8: Nothing in this or any section, however, shall be construed to prohibit any institution of higher education in this state from seeking and securing by separate bill the approval of the Legislature for any new unit or program of instruction, research, or public service denied approval by the commission, in which case the action of the Legislature, when approved by the Governor or otherwise upon becoming law, is final.

	"defined in regs; in regs, there's mention of legislation stating the Alabama Commission on Higher Education will work with institutions to examine academic programs which do not produce minimum levels of graduates as established by the Alabama legislature. The goal of this effort will be to evaluate priorities, eliminate unnecessary duplication, and focus existing resources to enhance the overall quality of academic offerings. The implementation of this includes a twolevel review process. In year one, programs will be identified as viable or non-viable. This identification process will be followed by a three-year monitoring period. Any programs which do not meet the standards or receive a waiver of nonviability at the end of the three-year monitoring period will be phased out over a three-year period. Consistent with the statutory mandate to base productivity standards primarily, but not exclusively, on the annual average number of degrees conferred, the Commission will use three factors in evaluating the productivity of a program: IPEDS completions data as required by Act 96-557, double majors, and the number of students previously enrolled in vocational/technical programs who meet certain standards and can be counted as graduates for purposes of program viability.
Joint/Shared Programs	Each institution with exempt core liberal arts programs (22 programs they have on a table with CIP codes) will conduct an assessment of those programs during the three-year monitoring period. The purpose of this assessment is for institutions to develop innovative, high quality approaches to offering core liberal arts education which also meet viability standards. At a minimum, the assessment should address the following questions for each exempt core liberal arts program (pasting a couple questions below) (III) Can the institution more narrowly focus it liberal arts programs and improve quality through consortia, resource sharing among institutions, distance education, joint and cooperative programs, etc.? (IV) What are the barriers to cooperative efforts?"
Deference to accreditors	
	Commission approval of a program requires agreement by the institution to discontinue the program if expected outcomes are not reached within the established time frame. In regulation, there's mention of legislation stating the Alabama Commission on Higher Education will work with institutions to examine academic programs which do not produce minimum levels of graduates as established by the Alabama legislature. The goal of this effort will be to evaluate priorities, eliminate unnecessary duplication, and focus existing resources to enhance the overall quality of academic offerings. The implementation of this includes a two-level review process. In year one, programs will be identified as viable or non-viable. This identification process will be followed by a three-year monitoring period. Any programs which do not meet the standards or receive a waiver of non-viability at the end of the three-year monitoring period will be phased out over a three-year period.
Periodic Program Review	Consistent with the statutory mandate to base productivity standards primarily, but not exclusively, on the annual average number of degrees conferred, the Commission will use three factors in evaluating the productivity of a program: IPEDS completions data as required by Act 96-557, double majors, and the number of students previously enrolled in vocational/technical programs who meet certain standards and can be counted as graduates for purposes of program viability. Each institution with exempt core liberal arts programs (22 programs they have on a table with CIP codes) will conduct an assessment of those programs during the three-year monitoring period. The purpose of this assessment is for institutions to develop innovative, high quality approaches to offering core liberal arts education which also meet viability standards. At a minimum, the assessment should address the following questions for each exempt core liberal arts program (pasting a couple questions below) (III) Can the institution more narrowly focus it liberal arts programs and improve quality through consortia, resource sharing among institutions, distance education, joint and cooperative programs, etc.? (IV) What are the barriers to cooperative efforts?
Evaluation of agency effectiveness	From statute -- During the last year of each gubernatorial term, the commission shall conduct a survey of members of the education community, the Legislature, the Executive Branch of the state, and business and industry to evaluate the effectiveness of the work of the commission. A report detailing the results of the survey and any recommended changes shall be submitted to the Governor, the Legislature, the presidents and governing boards of the public institutions of higher education of this state, and the public.
List of Historically Black Institutions (note if public or private)	Alabama A&M University- Huntsville (public historically black land-grant university) Alabama State University- Montgomery (public) Concordia University-Alabama- Selma (closed 2018) Gadsden State College- Gadsden (public) J.F. Drake State Technical College- Huntsville (public) Lawson State Community College- Birmingham (public) Miles College- Fairfield (private, liberal arts Historically Black College with roots in the Christian Methodist Episcopal Church) Miles School of Law- Fairfield * (private) Oakwood University- Huntsville (private, historically black Seventh-day Adventist university) Selma University- Selma (rivate historically black Baptist Bible) Shelton State Community College- Tuscaloosa (public) Stillman College- Tuscaloosa (private historically black Presbyterian) Talladega College- Talladega (private) Tuskegee University- Tuskegee (private, historically black land-grant)

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H. Councill Trenholm State Community College- Montgomery (public)

None

Special Consideration for Historically Black
Colleges and Universities / Historically Black Institutions

Arkansas

Arkansas Higher Education Coordinating Board Arkansas
Division of Higher Education (ADHE)

Coordinating board for public two-year and public four-year institutions. No oversight over new programs offered by Private, Non-Profit Independent Higher Education Institutions.

Agency Scope of Authority

The Arkansas Division of Higher Education (ADHE) serves as the administrative staff for the Arkansas Higher Education Coordinating Board

Commission or Board makeup

The Board consists of 12 members who are appointed by the governor.

The Arkansas Higher Education Coordinating Board is charged with establishing appropriate role and scope designations for each public higher education institution in consultation with representatives of the colleges and universities. The statute under which this responsibility is assigned to the Coordinating Board (ACA 6-61-207) also requires that these designations be reviewed on a periodic basis. An amendment to this Act, enacted in 2005, requires these designations to incorporate consideration of the changing economic needs of the state.

Designations went through a review and were presented to the Board for action in October 2007. Concerns expressed by members of the Board led to a deferral of action and a staff decision to engage an external consultant (NCHEMS) to work with them and representatives of the colleges and universities to develop a set of role and scope designations acceptable to the Board.

Mission Review

Triggers for level of review (including exceptions)

of developing the role and scope designations.

See Sally's write-up on interview with Jim Purcell for more about the process

Advantages to the mission-based program evaluation process:

With well-defined missions, new fences are built within which each institution understands its boundaries. However, it does not preclude innovation especially for regional workforce needs. In Alabama, high need programs for the state (e.g., health care, education) are not considered "unnecessary program duplication" regardless of where they are offered. This approach made program approval processes much simpler and transparent allowing Commission staff to focus on other types of evaluations, like program viability.

[Larger changes are reviewed by Coordinating Board for approval; smaller changes are reviewed by ADHE]
New Programs and Organizational Units Requiring Coordinating Board Approval (Submit Letter of Intent and Proposal):

1. A new program of instruction, regardless of mode of delivery, that results in a certificate or degree. The program should complement and build upon existing programs and follow accepted higher education structure for the discipline and program level.
2. Any change in academic organization to establish new administrative units, if such units are to serve as a base for faculty appointments or are to offer degree programs.
3. New off-campus instruction centers where students can receive a minimum of 50 percent of the credits in a major field of study that are required for an existing certificate or degree from the institution. Instruction may be delivered on-site, through distance technology or correspondence.
4. Reactivation of any certificate, degree program or unit formally on inactive status for five years.

Program and Unit Changes Requiring ADHE Director Approval Unless Prior Review Requested by Coordinating Board (Submit Letter of Notification):

1. Changes in name only of an existing degree, certificate, major, option or organizational unit where the curriculum or emphasis will not be modified.
2. Establishment of a center, division, institute or similar major administrative unit not offering primary faculty appointments or degree programs.
3. The addition of a specialized course of study (option, concentration, emphasis, focus) as a component of an approved degree program if the number of new theory courses added to the curriculum does not exceed 21 semester credit hours (excluding a maximum of 6 semester credit hours of new clinical, practicum or internship courses). The new option must consist of a minimum of 9 semester credit hours.
4. Establishment of a new instruction, research or service institute/center fully supported by sources other than state funds that will definitely terminate when nonstate funding ceases.
5. Deletion of options, certificates, degree programs and organizational units. Program/unit deletions will be reported annually to the Coordinating Board.
6. Placement of a certificate or degree program on inactive status.
7. A change in structure to reorganize existing organizational units.
8. An undergraduate certificate program consisting of 6-21 semester credit hours.
9. An undergraduate certificate/endorsement program (21-45 semester) developed from an approved associate or bachelor's degree program provided that 75 percent of the coursework in the new certificate is included in the existing degree program.
10. A graduate certificate/endorsement program consisting of 12-21 semester credit hours of existing graduate courses that reflects a coherent academic accomplishment or meets requirements for professional licensure or certification
11. Reconfiguration of existing undergraduate or graduate degree programs to create a new degree. Consolidation of Existing Degrees - The new combined degree program must require 12 semester credit hours of core courses with a minimum of two courses taken from each of the existing degree majors. Modification of Existing Degree to Create New Degrees - An existing degree major must include required courses in at least two disciplines for the degree to be separated into two or more new degree programs.
12. An existing certificate or degree program in which at least 50 percent of the total credits will be offered at an off-campus location.

13 An existing certificate or degree program in which at least 50 percent of the total credits will be offered through distance technology

Letter of intent type of process prior to submitting program proposal (including sequence)
A Letter of Intent must be submitted to the Arkansas Division of Higher Education by the established deadline for the proposal to be considered by the Coordinating Board at its regularly scheduled meeting in January, April, July or October.

The Arkansas Higher Education Coordinating Board will not consider proposals for new programs or organizational units that have not been formally approved by the President and Board of Trustees of the proposing institution. Prior to submission of a proposal to ADHE, it is recommended that the Academic Affairs Officer discuss the proposed program with the Academic Officers that offer similar programs in the state and with institutions in the surrounding area.

program proposal form asks--

List institutions offering program:
Proposed undergraduate program – list institutions in Arkansas
Proposed master's program – list institutions in Arkansas and region
Proposed doctoral program – list institutions in Arkansas, region, and nation

State why proposed program needed if offered at other institutions in Arkansas or region.

Duplication	List institution(s) offering a similar program that the institution used as a model to develop the proposed program. Provide a copy of the e-mail notification to other institutions in the state notifying them of the proposed program. Please inform institutions not to send the response to "Reply All". If you receive an objection/concern(s) from an institution, reply to the institution and copy ADHE on the email. That institution should respond and copy ADHE. If the objection/concern(s) cannot be resolved, ADHE may intervene. Note: A written institutional objection/concern(s) to the proposed program/unit may delay Arkansas Higher Education Coordinating Board (AHECB) consideration of the proposal until the next quarterly AHECB meeting.
Objections process for new program proposals	Proposal Review by Academic Affairs Officers: A synopsis of the proposals is posted on the ADHE webpage within 10 days of the deadline for submission. An electronic notice is sent to all Academic Affairs Officers, and a synopsis of the proposals will be sent to members of the Coordinating Board. The Academic Affairs Officers have 10 working days after the web posting to comment, question or request additional information on the proposals. All such comments, questions or requests must be in writing and directed to the contact person listed on the ADHE webpage by the established deadline. Institutions proposing programs/units must provide a written response to ADHE within 10 days of receipt of the requests for clarification or additional information. If you receive an objection/concern(s) from an institution, reply to the institution and copy ADHE on the email. That institution should respond and copy ADHE. If the objection/concern(s) cannot be resolved, ADHE may intervene. After comment period, ADHE academic affairs staff review proposals and comments received. ADHE staff present synopsis of all new proposals to the Presidents' Council for their review before the proposals are included on the agenda for the Coordinating Board meeting.
Appealing Decision on Academic Program Proposal	Proposals Recommended to the Coordinating Board: Proposals that are not challenged during the review process will be placed on the consent agenda for the Coordinating Board meeting unless the ADHE Associate Director of Academic Affairs determines that the proposal should be presented to the Academic Committee of the Coordinating Board for information and discussion purposes. Also, any Board member may request that the proposal be presented to the Coordinating Board for the purpose of discussion and a separate vote. Institutional program representatives must attend the Coordinating Board meeting to respond to questions about the proposals. The Coordinating Board will vote on consent agenda items as a group with limited or no discussion. State general revenues cannot be expended for new programs/units that are not approved by the Coordinating Board. Following a favorable action on the proposals by the Coordinating Board, institutions are expected to initiate programs/units on the dates specified in the Board agenda items. Coordinating Board approval will terminate for programs/units not initiated within two years of Board approval, and a new proposal must be submitted for Coordinating Board consideration if the No process for appealing decision.
Joint/Shared Programs	Only mentioned in context of program viability review.
Deference to accreditors	Accredited/licensed/state certified programs will follow the usual review practices and schedule of the accrediting/approval body. The site team's written evaluation and/or approval documentation and institutional response to comments/concerns addressed by the accrediting/licensing/approval body should be sent electronically to ADHE within six weeks of receipt of the written evaluation.

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Periodic Program Review	ADHE staff may conduct follow-up reviews of approved programs to determine if the enrollment, general program strength, and number of graduates are sufficient to justify continuation of the program. Because the use of distance technology is a different mode of program delivery and the Coordinating Board has expressed concerns about the quality of these programs, an ADHE staff review of programs offered through distance technology will be conducted on a 5-year cycle and status reports will be presented to the Coordinating Board. All certificate and degree programs (both active and inactive) offered by public colleges and universities in Arkansas will be reviewed through the Existing Academic Program Review Process every 7–10 years. Academic programs which are not program-specific accredited/licensed/state certified will be reviewed by external reviewers/consultants. The institution will complete a comprehensive self-study that is reviewed by the program consultants. Institutions will select a minimum of two out-of-state reviewers affiliated with programs that are similar in mission and scope to the program under review. At least one consultant is required to conduct a site visit and meet with program faculty, students, and administrators. The consultants' written evaluation and institutional response will be sent electronically to ADHE within six weeks of receipt of the written evaluation. Beginning in 2010, ADHE staff annually will identify existing certificate and degree programs that do not meet AHECB program viability standards. New certificates and associate degrees will be identified for program viability standards after three years, and bachelor's degrees and above will be identified after five years. Programs identified as below the viability threshold will have two (2) additional years to meet the threshold or will be removed from the AHECB approved programs inventory. ADHE will not include SSCHs generated by major courses of programs removed from the approved program inventory in its funding formula calculations. SSCHs removed from the formula will be for courses within a major/program of study that are not required within another major/program of study. General education courses listed in the Arkansas Course Transfer System (ACTS) will not be subject to loss of funding.
Evaluation of agency effectiveness	Not addressed
List of Historically Black Institutions (note if public or private)	University of Arkansas at Pine Bluff- Pine Bluff (public) Arkansas Baptist College- Little Rock (public) Philander Smith College- Little Rock (private) Shorter College- North Little Rock (private)
Special Consideration for Historically Black Colleges and Universities / Historically Black Institutions	Not addressed

Louisiana

Louisiana Board of Regents

Agency Scope of Authority	Coordinating board for public two-year and public four-year institutions. No oversight over new programs offered by Private, Non-Profit Independent Higher Education Institutions.
Commission or Board makeup	The Louisiana Constitution of 1974 gave the Board of Regents the responsibility to approve, disapprove, or modify all existing and proposed degree programs and administrative units of Louisiana's public colleges and universities. These responsibilities have been delegated to the Academic and Student Affairs Committee, which is advised by its staff. The Louisiana Board of Regents is a 15-member volunteer board appointed by the Governor. The Board is responsible for planning, coordinating, and budgeting for all public higher education in the state of Louisiana.

	Earlier the Louisiana Master Plan included the role and scope of institutions. The Master Plan was revised in a 5 – 10 year cycle, but it was typical for the institutional roles and scopes to roll over from previous versions. There was no clear policy on how to revise roles and scopes. In Louisiana there are four higher education management systems: 1.L ouisiana State University Systems (nine institutions and Health Sciences Centers) 2.U niversity of Louisiana System (Nine public comprehensive universities – including one HBCU – Grambling State University) 3.S outhern University and A&M College System (four historically black institutions plus an Agriculture Research and Extension Center) 4. Louisiana Community and Technical College System (12 colleges)
Mission Review	The Louisiana Board of Regents work at the level of state interests and define each institution's role and scope. Campuses define their own missions within their systems.
Triggers for level of review (including exceptions)	All new degree programs at the associate's level and above – including certificate programs – require Board of Regents approval. Program proposals for non-certificate programs including at the associate's, baccalaureate, master's, and doctoral levels, will be circulated to Chief Academic Officers statewide for review and comment. The proposing institution is responsible for addressing issues and concerns raised during the Chief Academic Officer review and identified by Regents staff before consideration for approval by the Board of Regents. Proposals for all graduate degrees (master's and doctoral) and for highly technical and/or selective baccalaureate degrees require review by an external consultant. External reviewers are selected by Regents staff according to external review guidelines. External evaluations will be conducted as desk reviews and do not require on-site visits. The cost associated with an external review of proposed programs will be paid by the proposing system and/or institution. Regents staff will manage the external review process and coordinate
Letter of intent type of process prior to submitting program proposal (including sequence)	To help with their degree approval process, Louisiana used to have institutions produce letters of intent for each new program they intended to propose. They found it produced "very awkward" results and did not include enough evidence on which to base informed decisions.
with campus staff for the reviewer's payment and final submission of the report.	A full program proposal may be submitted to Regents any time after the program concept has been approved, as part of the academic planning process or through the off-cycle approval process as described in academic planning guidelines.
	The mission of the Board of Regents is to regulate the role, scope, and mission of institutions in Louisiana. As a part of that they approve new degree programs and guard against unnecessary duplication of academic programs.

Duplication	Now the Regents annually review the next three-year plan developed by each institution. These plans signal expected changes for the institutions. In the first year, it is a one- year plan and build from there to the three-year plan. There are two stages to the plan: 1.A spreadsheet of the three-year plan that answers these questions: a.H ow it fits in the role, scope and mission of the institution, and b.How it supports state goals, which include attainment and equity. 2.W hat degree plans the institution expects to propose: a.W hat will the impact of the new degree be? b.W hat is the success of the most recently proposed degree plans? c.H ow is the institution handling low producing degrees on campus? There are other key elements of this new process: •N ew three-year plans are presented at the same time as budget proposals, so they are more easily linked and analyzed. •R egents plan to be part of shaping collaborations on degree offerings (both new and low performing. •R egents continually look at gaps between existing and proposed degrees and state needs (e.g., $1 million appropriated by the legislature as seed money for cyber security) To evaluate unnecessary program duplication, the Regents now rely on the three-year plans that become public, so all institutions know one another's plans. The evaluation of a new program proposal is not an up or down vote, but a chance to ask meaningful questions: • Can there be any institutional collaboration? •H ow can statewide investment be balanced based on needs? Plans are circulated to Chief Academic Officers and labor market representatives statewide for review and comment. Feedback from the statewide review may include support, recommendations, or substantive feedback to the proposed program based on need, mission, or duplication. Staff will attempt to resolve challenges through discussion among interested parties; unresolved issues will be presented to the Board for a final decision.
Objections process for new program proposals	Not addressed
Appealing Decision on Academic Program Proposal	
Joint/Shared Programs	Not addressed Approved new degree programs are required to submit regular progress reports until the program demonstrates sustainability and meets accreditation requirements.
Deference to accreditors	
Periodic Program Review	Approved new degree programs are required to submit regular progress reports until the program demonstrates sustainability and meets accreditation requirements. Not addressed
Evaluation of agency effectiveness	
List of Historically Black Institutions (note if public or private)	Grambling State University- Grambling (public) Southern University and A&M College- Baton Rouge (public, land-grant) Southern University New Orleans- New Orleans (public) Southern University-Shreveport- Shreveport (public) Xavier University- New Orleans (private) Not addressed

Special Consideration for Historically Black Colleges and Universities / Historically Black Institutions

Agency Scope of Authority	
Commission or Board makeup	12 members, including 1 student, appointed by governor with consent of Senate.
Mission Review	Responsibilities include review, negotiate as necessary, and grant final approval of mission statements for each public institution of higher education and each regional higher education center that requests or receeives State funding.
Triggers for level of review (including exceptions)	Proposals that require circulation for a 30-day objection/comment period are those for new academic programs (degrees and stand-alone certificate programs), and substantial modification to an existing program. In the regulations, “Substantial modification” means a major change in an existing program or area of concentration. If the proposal does not require circulation, MHEC conducts an internal analysis and prepares a recommended action for review. MHEC makes a final decision and the institution is notified. See "Objections process for new program proposals" row below for more information on that process.
Letter of intent type of process prior to submitting program proposal (including sequence)	University System of Maryland has letter of intent process. There is no letter of intent process outside of USM.
Duplication	A. The elimination of unreasonable program duplication is a high priority. Ordinarily, proposed programs in undergraduate core programs consisting of basic liberal arts and sciences disciplines are not considered unnecessarily duplicative. Unreasonable duplication is a more specific concern in vocational/technical, occupational, graduate, and professional programs which meet special manpower needs. The issue of how a proposed program meets an institution's local and State area needs shall be addressed. B. Evidence demonstrating that a proposed program is not duplicative of similar offerings in the State shall be submitted by the institution. At a minimum, this evidence shall be substantiated on the basis that the proposed program to be offered is not unreasonably duplicative of existing programs in a specific geographically proximate location in the State. C. Determination of Duplication. (1) In determining whether a program is unreasonably duplicative, the Secretary shall consider: (a) The degree to be awarded; (b) The area of specialization; (c) The purpose or objectives of the program to be offered; (d) The specific academic content of the program; (e) Evidence of equivalent competencies of the proposed program in comparison to existing programs; and (f) An analysis of the market demand for the program. (2) The analysis shall include an examination of factors, including: (a) Role and mission; (b) Accessibility; (c) Alternative means of educational delivery including distance education; (d) Analysis of enrollment characteristics; (e) Residency requirements; (f) Admission requirements; and (g) Educational justification for the dual operation of programs broadly similar to unique or high-demand programs at HBIs.
Objections process for new program proposals	If circulation is required, the proposal is emailed to the distribution list and posted to the MHEC website. The Secretary or an institution may file an objection to implement a proposed program based on at least one of four criteria: (1) Inconsistency of the proposed program with the institution’s approved mission; (2) Not meeting a regional or Statewide need consistent with the State Plan; (3) Unreasonable program duplication which would cause demonstrable harm to another institution; or (4) Violation of the State’s equal educational opportunity obligations under State and federal law. If an objection is received, the proposing institution’s governing board and president is notified and the proposing institution has the opportunity to respond. The Secretary will review the objection and determine if an institutional objection is justified. A justified objection must be based on one of the four criteria. Additionally, a justified objection must be accompanied by detailed data and information supporting the reasons for the objection. MHEC issued in 2020 guidance regarding evidence that should accompany objections for in-state academic program review that relate back to the four criteria (listed above). The Secretary may request additional information from the proposing or objecting institutions. If the Secretary determines that an objection is justified, the Secretary shall negotiate with the proposing institution’s governing board and president, or designees, to modify the proposed program in order to resolve the objection. The Secretary may invite representatives of the objecting institution to any negotiations. Internal analysis is completed and recommended action is prepared for review. The final decision is made and the propising and objecting institutions are notified.
Appealing Decision on Academic Program Proposal	An institution may request a full review of the decision made by the Secretary to be conducted by the 12-member Commission. Written statements are prepared by the proposing institution and the Secretary. A review meeting is scheduled. Presentations by the institutions and the Secretary are made during the Commission meeting. The Commission makes a final decision.
Joint/Shared Programs	Definition in regulations:“Joint degree” means a single degree offered by two or more institutions bearing the name and seal of each in which all cooperating institutions are substantively involved in required course work, faculty exchange, and shared use of facilities.
Deference to accreditors	None
Periodic Program Review	None
Evaluation of agency effectiveness	None

Maryland

Maryland Higher Education Commission (MHEC)

Coordinating commission for all postsecondary schools in Maryland.

List of Historically Black Institutions (note if public or private)	Morgan State University-Baltimore (public) University of Maryland Eastern Shore-Princess Anne (public)
Bowie State University-Bowie (public)	
Coppin State University-Baltimore (public)	
Special Consideration for Historically Black Colleges and Universities / Historically Black Institutions	Duplication analysis includes educational justification for the dual operation of programs broadly similar to unique or high-demand programs at Historically Black Institutions

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Agency Scope of Authority	**Mississippi** **Institutions of Higher Learning (IHL) (Public)**
	Modification includes any renaming, consolidation, suspension, or deletion of a degree program. Changes to Classification of Instructional Programs (CIP) codes require no formal action by the Board of Trustees but rather require the approval of the Associ
Commission or Board makeup	Commissioner of higher education appointed by the Mississippi Board of Trustees of State Institutions of Higher Learning (IHL). The Board of Trustees shall be composed of twelve (12) members. Four (4) members of the Board of Trustees shall be appointed from each of the three (3) Mississippi Supreme Court districts and, as such vacancies occur, the Governor shall make appointments from the Supreme Court district having the smallest number of Board members until the membership includes four (4) members from each district.
	Each institution shall develop a concise statement of its core mission for approval by the Board. The core mission statement shall be based upon and consistent with the statement of institutional purpose and mission required by the Southern Association of Colleges and Schools (SACS) and the Board and System mission statements. The core mission statement shall set forth clearly and concisely the major emphasis, scope, and character of the institution's instruc tional, research, and public service programs, and shall describe those characteristics and features that distinguish it from other institutions in the IHL system. Core mission statements shall be reviewed annually and may be modified with prior approval of the Board. The core mission statement of each institution shall be filed with the Commissioner. New programs and modification must fit in the mission of the institution.
Mission Review	
	Modification includes any renaming, consolidation, suspension, or deletion of a degree program. Changes to Classification of Instructional Programs (CIP) codes require no formal action by the Board of Trustees but rather require the approval of the Associate Commissioner of Academic and Student Affairs.)
Triggers for level of review (including exceptions)	
Letter of intent type of process prior to submitting program proposal (including sequence)	Letter of intent for certificate programs and for existing degree program by distance learning
Duplication	The Board reviews the productivity of academic programs in order to ensure effective use of State resources, reduce unnecessary academic program duplication among universities, and eliminate unproductive programs. New programs, modifications to degree programs, and implementation of distance learning programs all must show that they aren't unnecessarily duplicative of other programs within the System.
Objections process for new program proposals	E. OFF-CAMPUS CONFLICTS Whenever one institution desires or is requested to offer a program/course within 50 miles of the main and/or branch campuses of another state university that currently does not offer that program/course, state universities should first explore offering the program/course collaboratively. If attempts for collaborative program/course delivery have been exhausted, the program/course may be offered by the requesting institution providing an agreement is made with the closest institution. i. The IEO at the institution requesting to offer a program/course within the area/region of another IHL institution(s) must notify (in writing)the IEO(s) at the closest IHL institution(s) of that intent at least one full semester prior to the anticipated date of enrolling students, and copy the Commissioner. IEO notification is required, regardless of the program/course availability at the closest institution(s). ii. The IEO(s) at the closest institution(s) must respond (opposing or not opposing the intent in writing) to the IEO at the requesting institutionwithin 30 days of receiving the request and copy the Commissioner. iii. If the IEO(s) at the closest institution(s) does not oppose the intent of the requesting institution, then the requesting institution has satisfied Board policy 201.0507 E. iv. Opposition by the closest institution(s) to the requesting institution delivering a program/course in the area/region of the closestinstitution(s) should be based on program/course duplication or future plans of the closest institution(s) to deliver said program/course. v. If the closest institution(s) plans to offer said program/course in the near future, that institution(s) must provide the IEO at the requestinginstitution and the Commissioner documentation of current efforts to offer said program/course, a reasonable timeline for implementation, and the institution must adhere to that timeline. vi. Following written opposition from the IEO(s) at the closest institution(s), the IEO from the requesting institution may requestthat the Commissioner mediate the conflict
Appealing Decision on Academic Program Proposal	Not addressed

Joint/Shared Programs	Not addressed
Deference to accreditors	When required by Southern Association of Colleges and Schools Commission on Colleges (SACSOC) guidelines for substantive change, institutions must adhere to SACSOC procedures for proper notification and/or approval. All distance learning programs must be in accordance with SACSOC Principles of Accreditation and Southern Regional Board Principles of Good Practice.
	The new program proposal form includes: Describe the professional accreditation that will be sought for this degree program. If a SACSCOC visit for substantive change will be necessary, please note. The new program application includes: Describe the procedures for evaluation of the program and its effectiveness in the first six years of the program, including admission and retention rates, program outcome assessments, placement of graduates, changes in job market need/demand, ex-student/graduate surveys, or other procedures
Periodic Program Review	Academic Productivity Review The Board reviews the productivity of academic programs in order to ensure effective use of State resources, reduce unnecessary academic program duplication among universities, and eliminate unproductive programs. Academic Productivity Review (APR) is triggered by the insufficiency of graduation rates as below: • Baccalaureate Level – Graduation of eighteen (18) students over a three-year period; • Master's Level – Graduation of twelve (12) students over a three-year period;• Specialist's Level – Graduation of five (5) students over a three-year period; and • Doctorate Level – Graduation of five (5) students over a three-year period.
	If the program does not meet the rates above, the program will be automatically placed on stipulation and will be deleted from the API unless the university submits an Academic Productivity Review Proposal which provides a sufficient justification and corrective action plan and meets the standard within two (2) years. New baccalaureate degree programs shall have seven (7) years to meet the graduation rate. Master's and specialist's degree programs shall have five (5) years to meet the graduation rates. Doctorate programs shall have six (6) years to meet graduation rate.
	All academic degree programs are subject to systematic review by the Office of Academic and Student Affairs (OASA). Moreover, recently approved programs and other select programs may be subject to more frequent reviews. The audit of recently approved academic programs ensures that the program outcomes are congruent with the Board-approved proposal.
	Not addressed
Evaluation of agency effectiveness	
List of Historically Black Institutions (note if public or private)	Alcorn State University- Lorman (public) Coahoma Community College- Clarksdale (public) Hinds County Community College- Utica (public) Jackson State University- Jackson (public) Mississippi Valley State University- Itta Bena (public) Rust College- Holly Springs (private) Tougaloo College- Tougaloo (private)
Special Consideration for Historically Black Colleges and Universities / Historically Black Institutions	Not addressed

Agency Scope of Authority	Ohio Ohio Department of Higher Education (ODHE)
Commission or Board makeup	The Chancellor of the Ohio Department of Higher Education is charged by the Ohio General Assembly with approving academic programs at public institutions of higher education and authorizing independent (not-for profit and forprofit) institutions and out of state institutions to provide academic credit in Ohio. The Ohio Department of Higher Education's Office of Program Development and Approval reviews and makes recommendations to the Chancellor regarding the approval of new programs offered by the public and independent institutions. Chancellor is appointed by the Governor. Ohio board of regent is an advisory board to the chancellor of higher education. The board shall consist of nine members to be appointed by the governor with the advice and consent of the senate. The members shall be residents of this state who possess an interest in and knowledge of higher education. No member shall be a trustee, officer, or employee of any Ohio public or private college or university while serving as a member of the board. In addition to the members appointed by the governor, the chairperson of the education committee of the senate and the chairperson of the education committee of the house of representatives are ex officio members of the board without a vote.
Mission Review	General Standards for Academic Programs include that the institution has a clearly articulated mission.
Triggers for level of review (including exceptions)	Requests Requiring the Chancellor's Approval: Requests for New Degrees by All Institutions, to Include: Academic degrees (e.g., PhD, MA, MS, BA, BS, AS, AA), Professional degrees (e.g., EdD, DBA, DPT, AuD, DNP, MSN, MBA, LLM), Technical degrees (e.g., BAS, AAB, AAS, ATS); Requests for New Majors or Degree Programs Within an Approved Degree by All Institutions; Requests for Preparation leading to Ohio Educator Licensure or Endorsement When Awarded Independent of a Degree or Degree Program by All Institutions; Requests for On-Ground Field and Clinical Experiences by Out-Of-State Institutions; Requests for Solicitation by Out-Of-State For-Profit Institutions Procedures for seeking the Chancellor's approval vary by program type: undergraduate programs in public institutions; graduate programs in public institutions, the University of Dayton and Case Western Reserve University; or undergraduate and graduate programs in Ohio independent institutions or out-of-state institutions. Educator preparation programs leading to an Ohio license or endorsement have additional requirements.
Letter of intent type of process prior to submitting program proposal (including sequence)	The institution completes an Initial Inquiry to begin the approval process. Once the completed Inquiry is received, an institutional mentor will be assigned to assist the institution through the approval process. The institutional mentor will contact the institution to clarify the request, identify the information needed to complete the review, and discuss the steps in the approval process. The institutional mentor will summarize these discussions in a letter to the institution called a Program Review Plan. Once the Program Review Plan is sent to the institution, the institution and name of proposed degree is posted on the Ohio Department of Higher Education website. A Proposal must be submitted within one year of receiving a Program Review Plan.
Duplication	Considered in approval of new undergraduate degree or new program of study. All institutions are required to provide evidence of the need for the proposed program in Ohio. Proposals or change requests should include data-driven market research that addresses collaboration with employers, potential for employment upon graduation, competitive advantage of the submitting institution, reasonable non-duplication with other programs (for public institutions). Ohio public institutions are encouraged to collaborate with other institutions through the University System of Ohio Program Sharing Initiative or other mechanisms to effectively and efficiently use state resources and to maximize the talents and resources of faculty and programs at all University System of Ohio schools. Duplication of programs is not in and of itself unreasonable. In fact, duplication of programs may be necessary in response to state and local workforce needs and economic development initiatives. Institutions are encouraged to investigate and pursue avenues of student-centered collaboration.
Objections process for new program proposals	Peer Review of Proposal. Content experts from Ohio public colleges and universities may provide peer review for proposals. The peer review will focus on the qualifications, experience and sufficiency of faculty, the curriculum and its alignment with expectations for the discipline, the need for the degree and the resources (e.g., classrooms, libraries, technology, laboratory, equipment) available to support the degree. Peer institutions have 30 days to submit comments. The institutional mentor works with the institution proposing the program to address questions or concerns raised during the peer comment period. Public Comment Period. If the program is recommended to the Chancellor for approval, a background summary is posted on the Ohio Department of Higher Education website (https://www.ohiohighered.org/academic-program-approval/ programs-pending) for a 10-day public comment
Appealing Decision on Academic Program Proposal	i d Not addressed

Joint/Shared Programs	Ohio public institutions are encouraged to collaborate with other institutions through the University System of Ohio Program Sharing Initiative or other mechanisms to effectively and efficiently use state resources and to maximize the talents and resources of faculty and programs at all University System of Ohio schools. Stated in the Guiding Principles: Ohio public institutions are expected to maximize collaboration and assure that public resources are being used in an efficient and effective manner to educate more Ohioans in fields that lead to employment.
Deference to accreditors	Institutions seeking approval must have obtained or be in the process of obtaining regional or national accreditation from an accreditor approved by the U.S. Department of Education or the Council for Higher Education Accreditation. Out-of-state institutions must also have state approval in the home state. Ohio's approval process is intended to be complementary to regional or national accreditation by focusing on the specific degree program being proposed rather than on the institution as a whole. Reports for and by regional and national accrediting associations are part of the review process. With regard to periodic review, in order to reduce duplicative review processes, the Chancellor's staff accepts materials prepared for regional and national accreditors and coordinates review processes as needed.
Periodic Program Review	Professional accreditation, where available, focuses on nationally recognized standards for the discipline and the specific knowledge and skill requirements of the field. Professional accreditation is encouraged as an additional assurance that faculty credentials and the learning outcomes established for students are consistent with national standards. The purpose of periodic review is to ensure that institutions operating in the state are following the General Standards for Academic Programs. The procedures differ depending upon whether the institution is an Ohio public institution or is an institution authorized to operate in the state of Ohio. In order to reduce duplicative review processes, the Chancellor's staff accepts materials prepared for regional and national accreditors and coordinates review processes as needed. The Chancellor of higher education may require a state institution of higher education, as defined in section 3345.011 of the Revised Code, to conduct a viability analysis of any program offered at that institution and submit the findings of the analysis to the chancellor, if the chancellor determines that the program has a low completion rate, low enrollment rate, or meets other criteria determined relevant by the chancellor
Evaluation of agency effectiveness	Not addressed
List of Historically Black Institutions (note if public or private)	Central State University- Wilberforce (public) Payne Theological Seminary*- Wilberforce (seminary) Wilberforce University- Wilberforce (private)
Special Consideration for Historically Black Colleges and Universities / Historically Black Institutions	Not addressed

South Carolina

Commission on Higher Education (Public)

Agency Scope of Authority	New academic program approval is one of the important functions a higher education coordinating agency performs. The essential nature of this function was recognized in the 1967 legislation which created the South Carolina Commission on Higher Education (the Commission). The enabling legislation requires that public institutions of higher education receive approval from the Commission or the General Assembly before any new academic program is implemented (§59-103-35 of the South Carolina Code of Laws 1976 as amended). This approval process was reemphasized in Act 359 of 1996 which specifically mandated the Commission examine the curriculum offerings of each public college and university in the state as well as the respective relationships to services and offerings of other institutions. Act 359 also reaffirmed that no new program may be undertaken by any public institution of higher education without approval of the Commission (§59-103-35 of the South Carolina Code of Laws 1976 as amended). The Commission establishes and maintains the policies and procedures for program approval1. The purpose of the Commission's program proposal review is to assure effective and efficient use of resources so institutions offer students quality, accessible, and affordable programs. The principal role of the Commission in program approval is to provide a statewide perspective (and, in some cases, a regional or national perspective). No oversight over new programs offered by private, non-profit independent institutions of higher education
Commission or Board makeup	The Commission on Higher Education shall be governed by a fifteen member Commission. Members shall be appointed by the Governor as follows: One at-large member shall be appointed by the Governor to serve as Chair, with the advice and consent of the Senate. The purpose of the Advisory Committee on Academic Programs (ACAP) is to advise the Commission, principally through the staff and the Committee on Academic Affairs and Licensing, on all matters relating to academic affairs generally, and specifically to advise these bodies on matters relating to new and existing programs. The members of ACAP shall consist of the following persons ex officio: a) The Director of Academic Affairs of the Commission, who shall serve as Chair; b) The Chief Academic Officer (CAO) of each of the public senior colleges and universities; c) The CAO of the staff of the SC Technical College System; d) The CAO from three technical colleges, to be appointed for two-year terms by the Technical College Chief Academic Officers Peer Group, to take effect on July 1st; ande) The CAO representing the two-year institutions of the USC System. ACAP may undertake such studies and make such recommendations to the Committee on Academic Affairs and Licensing (CAAL) as it deems necessary. Matters may also be referred to ACAP for its study and advice by CAAL or by the Commission.
Mission Review	An institution seeking approval to offer a program at a level above that which is included in its Commission-approved mission statement is required to submit a request for a change in mission and status (i.e., new level of degree offered) prior to or at the same time as the submission of the related program proposal. The Commission may approve or deny a mission statement change.
Triggers for level of review (including exceptions)	New degree programs are: a. offerings in any academic degree program that conclude with the conferral of a degree at any level in any field or major not previously offered; b. courses constituting 50 percent or more of a program of study not previously approved by the Commission offered on-campus or off-site by any instructional modality within a three-year period for associate's, baccalaureate, specialist, or master's programs, or within a five-year period for doctoral programs; c. any program offered at one degree level proposed to be offered at another level (e.g., the institution offers a B.A. and wants to offer an M.A.); d. new educator preparation programs, including add-ons or endorsements; e. the addition of concentrations in educator preparation programs that lead to a certification which the institution is not currently authorized by the State Board of Education to offer; or f. any existing program which changes to such an extent that a change in CIP Code is required or for which a change to the CIP Code is requested.

	All new degree programs, regardless of mode of delivery, location, institution, or existence of the same or similar programs in the state, require Commission approval. The Commission, at its discretion, may elevate a program modification proposal to a new program proposal or de-elevate a program modification proposal to a notification of change. The Commission may also elevate a program modification proposal for consideration by Committee on Academic Affairs and Licensing (CAAL) and the full Commission.
Letter of intent type of process prior to submitting program proposal (including sequence)	Prior to Proposal Submission: The Commission encourages institutions to consult with them early in the consideration and planning of new programs. This consultation may include telephone conversations, email discussions, and brief meetings. Institutions may also submit a draft of the proposal for review by the Commission well in advance of due dates for proposals.
Duplication content, location, or audience. The application asks for similarities and differences with other programs at both public and private institutions. New program application includes: Impact on Existing Programs - Will the proposed program impact existing degree programs or services at the institution (e.g., course offerings or enrollment)?	In its enabling legislation, the South Carolina Commission on Higher Education is charged with "examining the state's institutions of higher education relative to…programs and missions," including a review of program offerings with the objective of "reducing duplication, increasing effectiveness, and achieving economies" (§59-103-20 of the South Carolina Code of Laws 1976 as amended). Relative to academic programs at the public colleges and universities, the Commission meets this accountability mandate through the approval of new academic degree programs; by ensuring programs offered by the institutions are consistent with their mission; and by monitoring institutional compliance with statewide degree program productivity standards. Similar programs in the state offered by public and independent instuttions is required on the application/form for new programs. Definition: Duplication occurs when an academic program closely matches another academic program in
	Not addressed
Objections process for new program proposals The institution must introduce the New Program Proposal to the Advisory Committee on Academic Programs (ACAP). If ACAP favorably reviews the new program proposal, the Commission prepares an analysis and recommendation regarding approval of the proposed program. The proposal and analysis will be transmitted to Committee on Academic Affairs and Licensing (CAAL). If ACAP does not favorably review the new program, the proposal may be: revised and presented to ACAP for reconsideration, withdrawn, or forwarded to CAAL with a negative recommendation.	If requested to do so by the Commission, the institution submits a revised proposal that addresses questions, substantive comments, and concerns raised by both the Commission and ACAP members.
Appealing Decision on Academic Program	
Proposal	An institution that seeks to appeal the Commission's action on any proposal for a new program may do so, provided a written notice stating the reason(s) for the appeal is submitted to the President and Executive Director of the Commission by the President or Chief Executive Officer of the institution or system no later than 30 calendar days after receipt of written notice of the Commission's action. Appeals will be referred to Committee for Academic Affairs and Licensing (CAAL) for consideration and CAAL will undertake any further study or action it deems appropriate. Should CAAL find in favor of the appeal, the proposal will be submitted to the Commission for reconsideration. If CAAL's decision is unfavorable, the institution must wait one full calendar year before submitting a new proposal for the program or a similar program.

Joint/Shared Programs	For new joint programs, a Memorandum of Understanding or Agreement (MOU or MOA) that clearly delineates program responsibilities and fiscal arrangements among all participants, signed by the appropriate senior-level institutional officers, must be submitted and approved with the final program proposal. Institutions may submit a single proposal for joint programs, however, the proposal must present separate information for faculty, facilities, and financial support for each institution. Joint programs that require the submission of a new program proposal will also require the submission of new program proposal(s) should the program ever separate. Note: Institutions seeking curriculum or program partnerships shall provide the Commission with a copy of the appropriate document (MOU, MOA, or Articulation Agreement) that provides details regarding 1.) the intended curriculum or program(s) addressed; 2.) responsibilities of each institution; 3.) intended sites and locations; 4.) date of implementation and expiration, if applicable; 5.) centrality to institutional mission; and 6.) the signature of the chief academic officer and appropriate other senior-level institutional officers. The document shall be submitted to the Commission at least three months prior to the expected date of implementation.
Deference to accreditors	A new program proposal is required for a dual program if one of the programs of the proposed dual degree is a new program. Justification must be provided for any shared coursework; the Commission recommends that no more than 25% of the major coursework be shared for the programs (i.e., fulfill major, not general education or elective requirements). For dual programs offered by more than one institution, a Memorandum of Understanding of Agreement (MOU or MOA) that clearly delineates program responsibilities and fiscal arrangements among all participants, signed by the appropriate senior-level institutional officers, must be submitted and approved with the final program proposal. Institutions may submit a single proposal for dual programs, however, the proposal must present separate information for faculty, facilities, and financial support for each institution. Dual programs that require the submission of a new program proposal will also require the submission of new program proposal(s) should the program ever separate. After a new program has been approved by the Commission, should that program fail to be approved by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), the institution must notify the Commission of its plan to either appeal the SACSCOC decision or withdraw the program within three months of the date the institution was notified of SACSCOC's decision to not approve the program. The institution's Chief Academic Officer must send written notification to the Commission's Director of Academic Affairs, which should include 1.) copies of SACSCOC's letter of denial and 2.) all other documents the institution submits to SACSCOC in response.
Periodic Program Review	If an institution has a program placed on probation by the Commission due to insufficient productivity, it must provide a plan for meeting the standards within the probationary period. If this plan is not submitted by the institution by the date requested, the Commission might not accept any new program proposals until the plan is received and may review the entire program placed on probation, if necessary.
Evaluation of agency effectiveness	Not addressed
List of Historically Black Institutions (note if public or private)	Allen University- Columbia (private) Benedict College- Columbia (private) Claflin University- Orangeburg (private) Clinton College- Rock Hill (private) Denmark Technical College- Denmark (public) Morris College- Sumter (private) South Carolina State University- Orangeburg (public) Voorhees University- Denmark (private)
Special Consideration for Historically Black Colleges and Universities / Historically Black Institutions	Not addressed

Agency Scope of Authority

Virginia

State Council of Higher Education for Virginia (SCHEV)

The State Council of Higher Education for Virginia (SCHEV) is responsible for the certification of private and out-of-state postsecondary educational institutions operating in Virginia.

However state statute exempts institutions of higher education formed, chartered, or established in the Commonwealth of Virginia that have maintained a main campus under the same ownership for 20 years and have remained fully accredited by an accrediting body recognized by the U.S. Department of Education from the requirements of certification by the State Council of Higher Education for Virginia (SCHEV).

Commission or Board makeup

The Council has established the following policies and procedures related to academic programs at public institutions in answer to the duties referenced above, and as part of its obligation "to advocate for and promote the development and operation of an educationally and economically sound, vigorous, progressive, and coordinated system of higher education in the Commonwealth…" (Code of Virginia, § 23.1-200)

The Council consists of 13 members appointed for four-year terms (except appointments that fill vacancies occurring shall be appointed for the unexpired term). There are 12 members appointed by the Governor and subject to confirmation by the General Assembly and one ex officio member. At least one appointee shall have served as a president or chief executive of a public institution of higher education in the Commonwealth. At least one member shall be a sitting Virginia school superintendent, either at the state or local level. The President of the Virginia Economic Development Partnership shall serve ex officio with voting privileges. All terms begin July 1. The Academic Affairs Committee is charged with overseeing the work of SCHEV staff on all matters of academic concern. Its activities include the statutorily authorized approval of new academic programs and instructional sites at public higher education institutions; the certification of new and out-of-state postsecondary institutions; and the implementation of state policies on a broad range of topics such as assessment, transfer, reinstatement of students called for military duty, and strategic planning. The Committee also receives updates and reports on special initiatives and grant-funded programs (GEAR UP and NCLB) administered by SCHEV staff.

Mission Review

Institution's official SCHEV-approved mission statement is provided in the proposal. The program is explained in terms of the mission, directly quoting the mission to demonstrate alignment. The program has been included in the institution's six-year plan and/or performance agreement. Approval to initiate a new degree program does not imply approval of the projected budget or budget initiatives for that program, or approval of a mission change. SCHEV approves mission statements not necessarily missions, per se.

Triggers for level of review (including exceptions)

New degree program: curriculum leading to the award of a new degree that: includes content in a discipline or field not currently offered by the institution; shares fewer than one-fourth of its courses (excluding general education core) with an existing program; and, requires a separate CIP code.

Additional faculty, facilities or funding may be required to initiate and operate the new program. Council approval is required to confer the new degree.

Modifications that require SCHEV approval include:

1. Altering program requirements in a way that results in a fundamental change to the curriculum, purpose, focus or identity of the program as approved by Council or that alters the requirements for the common core as determined by Council.
2. Adding a new delivery format to an existing program or ceasing to offer the program in the format in which it was approved by Council.

3. Increasing or decreasing the total credit hours by more than three (3) credits from what was originally approved by Council. In the case of a bachelor degree, any change to more than 124 credits will require SCHEV approval.	
	4. Changing the licensure-qualifying status of a degree program as approved by Council, i.e., adding or removing a licensure-qualifying option.
Letter of intent type of process prior to submitting program proposal (including sequence)	a modification to a program that fits one of the above criteria should consult SCHEV staff for guidance.
Council has delegated approval of program modification proposals to SCHEV staff. Final authority for degree and certificate program modifications remains with the Council. Institutions considering	Facilitated staff approval: proposals for new degree programs with specified characteristics may be approved by SCHEV staff: Two-year institutions: applied (i.e., non-transfer) associate degree programs; Baccalaureate institutions: degree programs that meet criteria for state needs, labor market projections, and projected student enrollment. Program proposals eligible for facilitated staff approval may be submitted to SCHEV at any time, without need for a Program Announcement.
	Program Announcement (PA). Council must first be informed about a new degree program via a Program Announcement before the program can be presented for approval at a later Council meeting. PAs are on the agenda twice a year.
Duplication	SCHEV considers duplication in program review/approval. Will the program duplicate similar offerings in Virginia? If so, what are the needs (justifications) for the state to duplicate these efforts? How many similar programs are offered in the state; where? What is the enrollment strength and graduation rates of these similar programs? Must provide a comparison of existing degree programs and the proposed degree program. The comparison should focus on the curriculum, the specific course requirements for the core program, experiential learning requirements, specialization, and required sub areas of the program (e.g., concentration, emphasis area, focus area, option, specialization, or track). In case of concerns from institutions already offering similar degree programs, explain whether and how those concerns should be answered. The Program Announcements includes: “comparable” degree programs at the same degree level include: 1) degree programs with the same CIP code and 2) degree programs with other CIP codes if the focus of the program curriculum is similar to the proposed degree program. In the guidance document for Facilitated Staff Approval of Four-Year Institution Degree Programs: No more than two other degree programs at the same degree designation level are already approved at Virginia public institutions. The proposal includes the number of similar or related degree programs and verifies that by CIP code, degree program name, or primary focus that no more than two other degree programs are offered among all public institutions. “All public institutions” includes the institution proposing the degree program.
Objections process for new program proposals	Upon publication of a Program Announcement in Council’s Agenda Book, institutions already offering similar degree programs may provide feedback on the need for new degree programs and the potential effects of an additional program in Virginia. The chief academic officer of the interested institution should write SCHEV and the proposing institution within 30 days. SCHEV recommends that the feedback address (at least) the following two questions: Given your experience offering a degree program with this CIP code at this level, do you perceive the need for additional degree programs in Virginia? If not, why not? ; and, Would an additional degree program in Virginia with this CIP code at this level be likely to have a negative, positive or no effect on your institution’s degree program, including student enrollment and access to external resources such as experiential learning sites? The proposing institution must address any such feedback in the program proposal when submitted to SCHEV. This content should be included under the heading “Institution Response” in the Duplication section. Failure to address feedback received may result in action on the proposed program being deferred to a future Council agenda. The proposing institution is obliged to respond to any concerns (objections). Many withdraw after an objection is voiced. There is no appeal. An institution can resubmit at any time.
Appealing Decision on Academic Program Proposal	Not applicable. An instutition can resubmit at any time.

Joint/Shared Programs	If the proposed modified program will be offered jointly or in collaboration with one or more additional institutions (public or private), the chief academic officer(s) of the collaborating institution(s) must also submit a letter of support and explanation.
Deference to accreditors	Approval to initiate a new degree program may also require a substantive change review by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) if the new program significantly modifies or expands the scope of the institution.
Periodic Program Review	Not addressed
Evaluation of agency effectiveness	Not addressed
List of Historically Black Institutions (note if public or private)	Hampton University- Hampton (private) Norfolk State University- Norfolk (public) Saint Paul's College- Lawrenceville (closed 2013) (private) Virginia State University- Petersburg (public) Virginia Union University- Richmond (private) Virginia University of Lynchburg- Lynchburg (private)
Special Consideration for Historically Black Colleges and Universities / Historically Black Institutions	Staff reported that when Virginia HBCUs propose a new program, the program is approved.

APPENDIX C.

University System of Georgia
Board of Regents Program Review Form

Academic Degree Program Proposal Form

A.A. Policy 2.04: Academic Planning and Degree Program Proposals

A. **Overview**

Institution Name:		Designation (flagship, statewide, regional, HBCU, 2-year):		
College/School/Division:		Academic Department:		
Degree Designation[a]:	Proposed Degree Name:	CIP Code:	Credit Hrs[b]:	Contact Hrs[c]:
Planned Implementation Semester/Term & Year:		Was this program listed in the most recent Three-year Academic Plan? [ ] Yes [ ] No		

[a] See AA Policy 2.11 Approved Academic Terms & Degree Designations [b] If the program exceeds the standard 60 credits for associate or 120 credits for baccalaureate, you must provide justification and evidence of management board approval according to system policy. [C] If applicable.

1. Provide a brief description and reason for the development of the proposed program, identifying its purpose and primary objectives.

2. Describe specialized accreditation requirements associated with the program if applicable (refer to Board of Regents A.A. Policy 2.13: Program Accreditation). If not required, describe whether the institution will seek any voluntary accreditation or certification for the program.

3. Specify **SACSCOC** or other accreditation organization requirements. Mark all that apply.
   [ ] Substantive change requiring notification only
   [ ] Substantive change requiring approval prior to implementation
   [ ] Level Change
   [ ] None
4. Has the program been designed to align with any Board of Regents or other statewide initiatives? Check all that apply.
   [ ] MJ Foster Promise Program

[ ] Cyber-security Initiatives
[ ] Louisiana Transfer Pathways
[ ] Other:_____

5. If this proposal is for a Master's or Doctoral program, provide a list below (name, institution, email address, brief summary of qualifications) for at least three external review candidates. Reviewers should be active or retired full time faculty member from an accredited institution; have experience developing and/or administering a program like the proposed program; and should not have direct affiliation with a Louisiana institution.

B. The Master Plan and Institutional Role, Scope, and Mission

6. How does the program align with your institutional role, scope, and mission? If the program does not align, provide a compelling rationale for the institution to offer the program.

7. How does the program align with your institution's strategic plan and academic program portfolio?

8. How does the program align with the priorities outlined in the Board of Regents Master Plan for Higher Education? Provide brief descriptions for each. Additional details will be required later in the proposal.
   - Accessibility (mode of delivery, alternate course scheduling)
   - Affordability (use of OER, transfer agreements, prior learning assessment, employer funded)
   - Partnerships (with industry, community-based organizations, other institutions)
   - Work-based learning (paid or experiential internships, apprenticeships, etc.)

8

- Other program attributes that contribute to closing the achievement gap with underserved populations including low income, minority, and adult learner.

C. Need

9. How does the program align with relevant local, regional, and/or state workforce strategies and future societal educational needs?

10. Summarize faculty engagement with alumni, community representatives, employers, Regional Economic Development Organizations (REDO) or other external stakeholders, and explain how those conversations shaped the design and curriculum of this proposed degree.

11. What is the program's service area (local, regional, state, national)? If outside of the institution's traditional service area, provide a rationale.

12. Provide evidence of demand for the program in this service area (e.g. prospective student interest survey data, community needs, letters of support from community groups or employers).

13. What is the employment outlook for occupations related to the program?

    You may find this information using the following information sources among others:

    a. EMSI's Program Overview Report (check with your Office of Academic Affairs for access)
    b. Louisiana Workforce Commission
    c. US Department of Labor Projections Managing Partnership
    d. The NCES CIP to SOC crosswalk.

    If data for the program's service area is not available, then use state- or national-level data and indicate below.

    [ ] Service Area Data [ ] Sate Data [ ] National Data

Related Occupation	LWC Star Rating	Current Employment [Enter Year]	Projected Employment [Enter Year]	# Change	% Change	Average Annual Openings	Average Salary

14. List other institutions within the service area that offer the same or similar programs and include the number of graduates from within the last year. This information is available through IPEDS, EMSI's Program Overview Report and BOR Searchable CRIN.

Institution	Program (degree and title)	No. Graduates in past year

15. Based on the data provided in questions 13 and 14, discuss how this program will help address a need or gap in the labor market, or provide education to further the public good.

16. What impact will the proposed program have on similar or related programs at your institution?

17. Using data from the US Department of Labor O*-Net and/or EMSI's Program Overview Report identify at least three technical skills and three Knowledge, Skills, and Abilities (KSAs) as identified in O*-Net/EMSI associated with the related occupations.

Occupation	Occupation-specific skills & KSAs

D. Curriculum

18. List at least three programmatic student learning outcomes (what students will know and be able to do). Describe how and when outcomes will be assessed.

19. The National Association of Colleges and Employers (NACE) provides the list of career ready competencies included in the table below. How do the student learning outcomes for the proposed program align with these career competencies? You may also list your institution's alternate career-based competencies if applicable.

Career Ready Competencies (NACE)	Student Learning Outcomes
Critical Thinking/Problem Solving	
Oral/Written Communications	
Teamwork/ Collaboration	
Digital Technology	
Leadership	
Professionalism/ Work Ethic	

Career Management	
Equity and Global/Intercultural Fluency	
Other (list others)	

20. List the specific technical skills and KSAs identified in question 17 and show how they relate to the program's student learning outcomes. Insert additional rows as needed.

Technical Skills and KSAs	Student Learning Outcome (s)

21. The American Association of Colleges & Universities identifies a list of high impact educational teaching and learning practices (HIPs) listed below (see https://www.aacu.org/trending-topics/high-impact). Briefly describe how the program will utilize those HIPs that are applicable, including whether it is optional or required.

AACU HIPs	
First Year Experience	
Undergraduate Research	
Common Intellectual Experiences	
Diversity/Global Learning	
Learning Communities	
ePortfolios	
Writing Intensive Courses	
Service-Learning, Community-based Learning	
Collaborative Assignments & Projects	
Internships	
Capstone Courses and Projects	

22. Attach a map of the curriculum by semester for a full-time student enrolled in at least 15 units per semester. This may be structured like a program of study in the general catalog or on a curriculum guide.
    - Include course prefixes, numbers, titles, and credit hour requirements. Identify courses that meet general education requirements.
    - Include alternate tracks and requirements by concentration if applicable. Identify courses that are applicable to the alternative tracks.

- List all major course requirements. Indicate the word “new” beside new courses.
- Indicate work-based learning experiences (such as internships, clinicals etc.) if applicable.
- Provide a summary of how the curriculum meets the learning outcome goals described in questions 18-21.

23. Check all proposed program modes of delivery that apply:
    [ ] On campus (<50% online)
    [ ] Hybrid (51-99% online)
    [ ] 100% online

24. Describe how students will have the opportunity to receive credit for prior learning in the program’s curriculum. (see Board of Regents Policy AA 2.23)

25. Describe how Open Education Resources (OER) have been incorporated into the program’s instructional materials. Identify other measures the institution will take to ensure course material affordability.

26. What, if any, special preparation will students need for admission to the program? This may include pre-requisite courses or degrees, program-specific selective admission criteria or eligibility, or work experience

27. Identify the partners you are working with to create an educational and career pipeline for this program. Mark all that apply.

[ ] High school CTAE	[ ] Employers
[ ] High school STEM	[ ] Community organizations
[ ] Career academies	[ ] Professional associations
[ ] 2-year college	[ ] Other Programs at your Institution
[ ] 4-year college/university	[ ] Other Partner

List specific partners for each category checked above.

28. Describe how the education pipeline for the program will function. Include any stackable or transferrable credentialing that is involved.

29. Describe how the institution will support graduates in meeting career goals such as securing employment, further education, and industry certification.

30. Describe how the success of program graduates will be tracked and assessed? Success may include employment, enrollment in another degree program, or certification/licensure passage.

E. Students

31. Describe the institution's process for determining prospective and current student interest in the program. This may include enrollment in existing courses, minors, or concentrations, student surveys, admissions inquiries.

32. Provide current institutional and department/college overall retention and graduation rates.

33. Provide an enrollment projection for the next four academic years.

	Year 1	Year 2	Year 3	Year 4
Academic Year (Summer, Fall, Spring)	202x-xx	202x-xx	202x-xx	202x-xx
Base enrollment*		0	0	0
Lost to Attrition (should be negative)	0	0	0	0
New to the institution	0	0	0	0
Shifted from existing programs within your institution	0	0	0	0

Total Enrollment	**0**	**0**	**0**	**0**
Graduates	0	0	0	0
Carry forward base enrollment for next year	0	0	0	0

*Total enrollment becomes the base enrollment for the following year

34. If projected retention and graduation rates are significantly different than for the institution overall, please explain.

35. Discuss the marketing and recruitment plan for the program. Include how the program will be marketed to adult learners and underrepresented and special populations of students.

F. RESOURCES F1. Finance

36. Attach the completed Regents budget template

37. How has student affordability been considered in the design of the program? Are there any additional financial costs that students will have to take on as part of this program? (e.g. special fees, software licenses, equipment, travel, etc.) If so, what strategies have you adopted to offset the cost burden?

38. How will the institution cover increased indirect costs associated with the proposed program? Consider costs such as student advising, student support services, tutoring, career services, additional library materials, and replacing or upgrading technology or other infrastructure.

39. If existing funds are being reallocated, describe the impact on existing programs and the plan to mitigate these impacts.

F2. Instruction and Student Support

40. Faculty
    a. Describe the needs for new/additional faculty for the program including program leadership? Identify any anticipated challenges in hiring adequate faculty, for the program.

    b. How will current faculty be re-directed to this program from existing programs?

    c. Attach your SACSCOC Faculty Roster for the proposed program. (Please indicate anticipated positions that will need to be filled in the future)

41. Describe additional staff needed for this program (e.g. advising, professional development, program administration, academic coaching, etc.).

F3. Facilities

42. Where will the program be offered? Mark all that apply.
    [ ] Main Campus [ ] Satellite campus (specify campus here) [ ] Other (specify here)
    [ ]100% Online

43. What types of facilities are needed for the program? Fill out the chart below as applicable. Add lines under "other" as needed.

Space	New Space	Use Existing Space (as is)	Use Existing Space (Renovated)	Sem/Yr. of Occupancy
Dry Labs (STEM related)				
Wet Labs (STEM related)				
Dedicated Offices				
Fine Arts Spaces				
Classrooms				

Meeting Rooms				
Student Study Space				
Shared Space with other campus units				
Other (Specify)				

44. Describe needs and costs for new or renovated facilities required for the program. Capital Costs for Needed Facilities and Space.

Facility/Space Name	Gross Square Footage	Start Up Costs	Ongoing Costs	Est. Occupancy Date	Funding Source
New Construction					
Renovations and Infrastructure*					
Purchases: Land, Buildings etc.					
Lease space					
TOTAL Cost		**$0**	**$0**		

*Include the name of the building or location being impacted and what will need to be done. Infrastructure includes new systems such as: mechanical/electrical/plumbing, site utilizes, parking/drainage, IT networks, resiliency infrastructure, etc.

45. Discuss the impact of construction or renovation on existing campus activities and how disruptions will be mitigated. Explain how existing programs benefit from new facilities and/or space(s) and changes to existing space.

46. Will any existing programs be negatively impacted (e.g. lose classroom or office space) by proposed facility changes? If so, discuss how the impacts of these changes will be mitigated.

47. Are there facility needs related to accreditation? Are there any accreditation standards or guidelines that will impact facilities/space needs now or in the future? If so, please describe the projected impact.

F4. Technology and Equipment

48. Identify any major equipment or technology integral to program implementation and sustainability. List equipment or assets over $5,000 (cumulative per asset) needed to start-up and run the program.

Technology and Equipment	Start-up Costs	On-going Costs	Est. Start Date of Operations/Use
Total Technology and Equipment Costs	**0**	**0**	

G. RISKS AND ASSUMPTIONS

49. In the table below, list any risks to the program's implementation over the next four years. For each risk, identify the impact (low, medium, high), probability of occurrence (low, medium, high), and the institution's mitigation strategy for each risk. Insert additional rows as needed. (e.g. Are faculty available for the cost and time frame).

Risk	Impact	Probability	Risk Mitigation Strategy

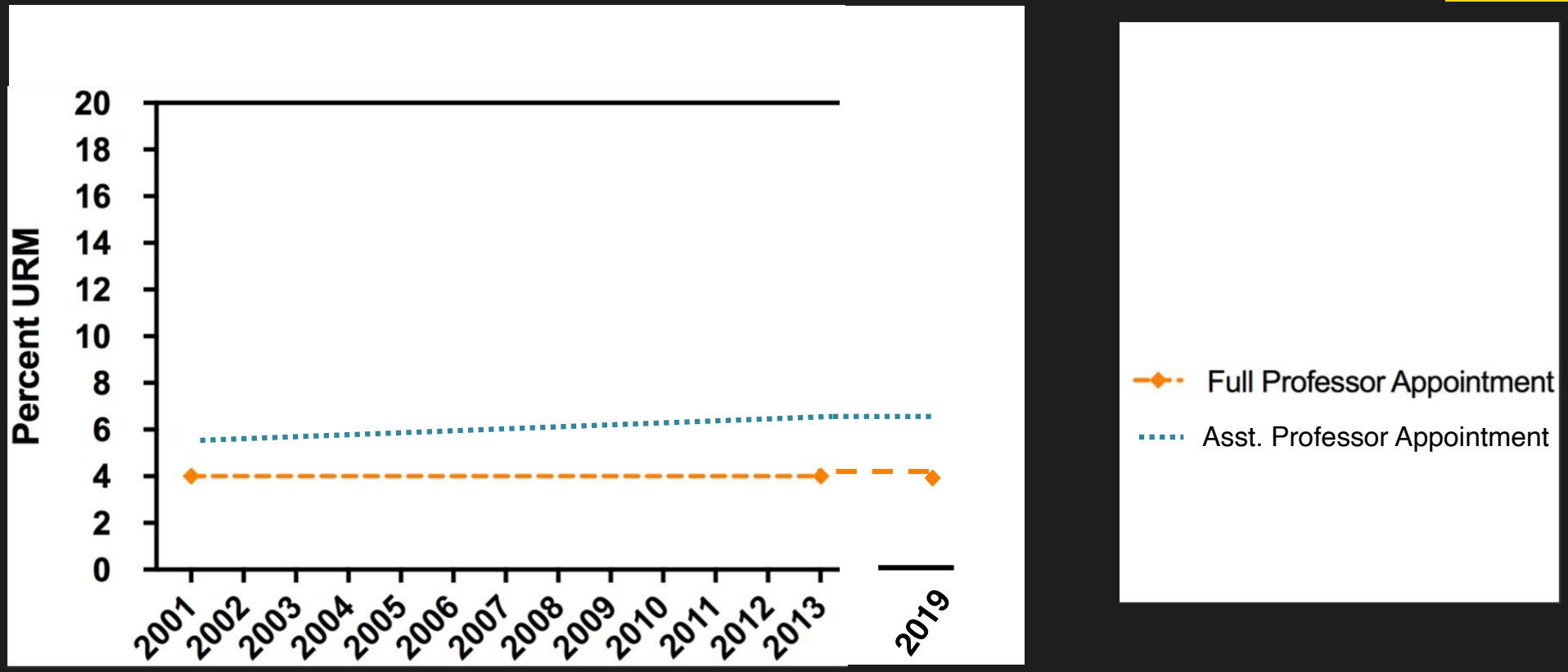
Diversifying Faculty with a State System "Grow Your Own" Approach

Leveraging grant support to develop a model (NSF AGEP PROMISE Academy Alliance) and *scale* (NSF RISE UPP INCLUDES Alliance)

Robin Cresiski, PhD

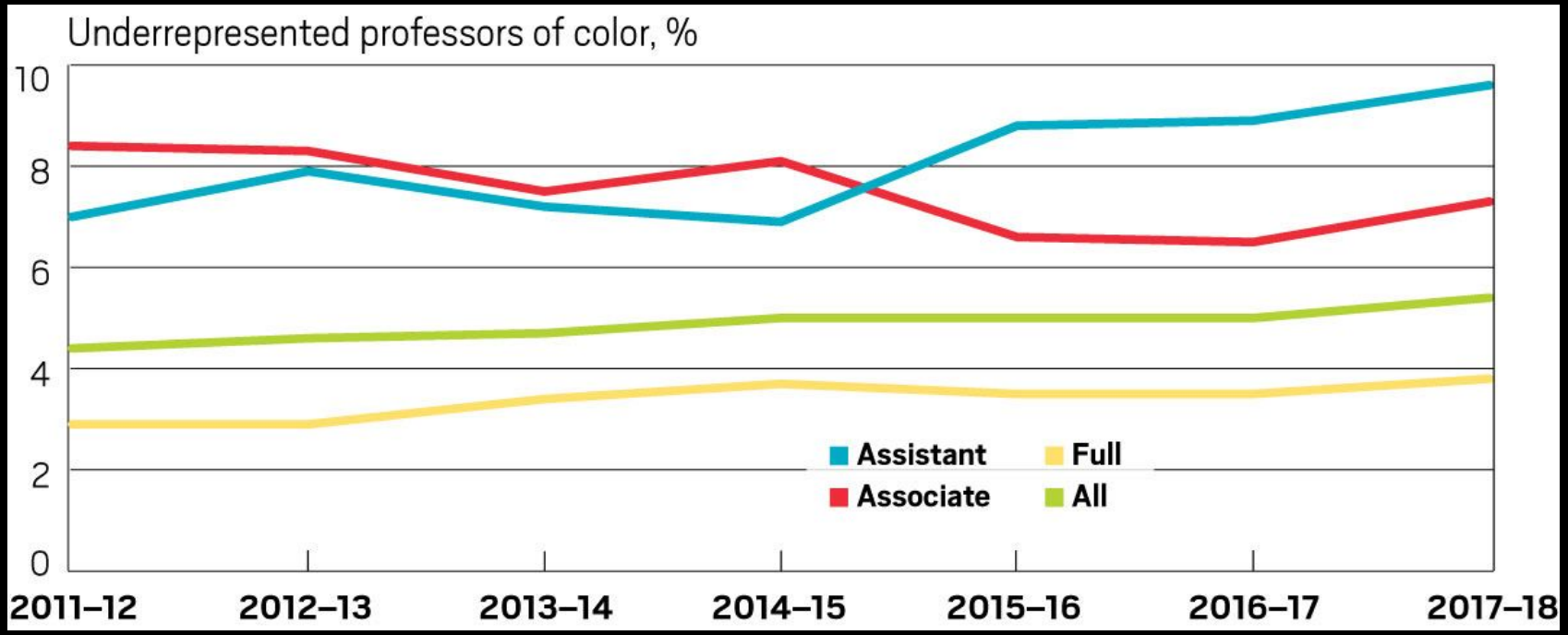
National Science Foundation (NSF), Directorate for Education and Human Resources (EHR), Division of Human Resource Development (HRD). NSF AGEP HRD Awards: University of Maryland Baltimore County (UMBC) (1820984), University of Maryland College Park (UMCP) (1820975), University of Maryland at

Diversity in Biomedical Faculty Is Stagnant and Low



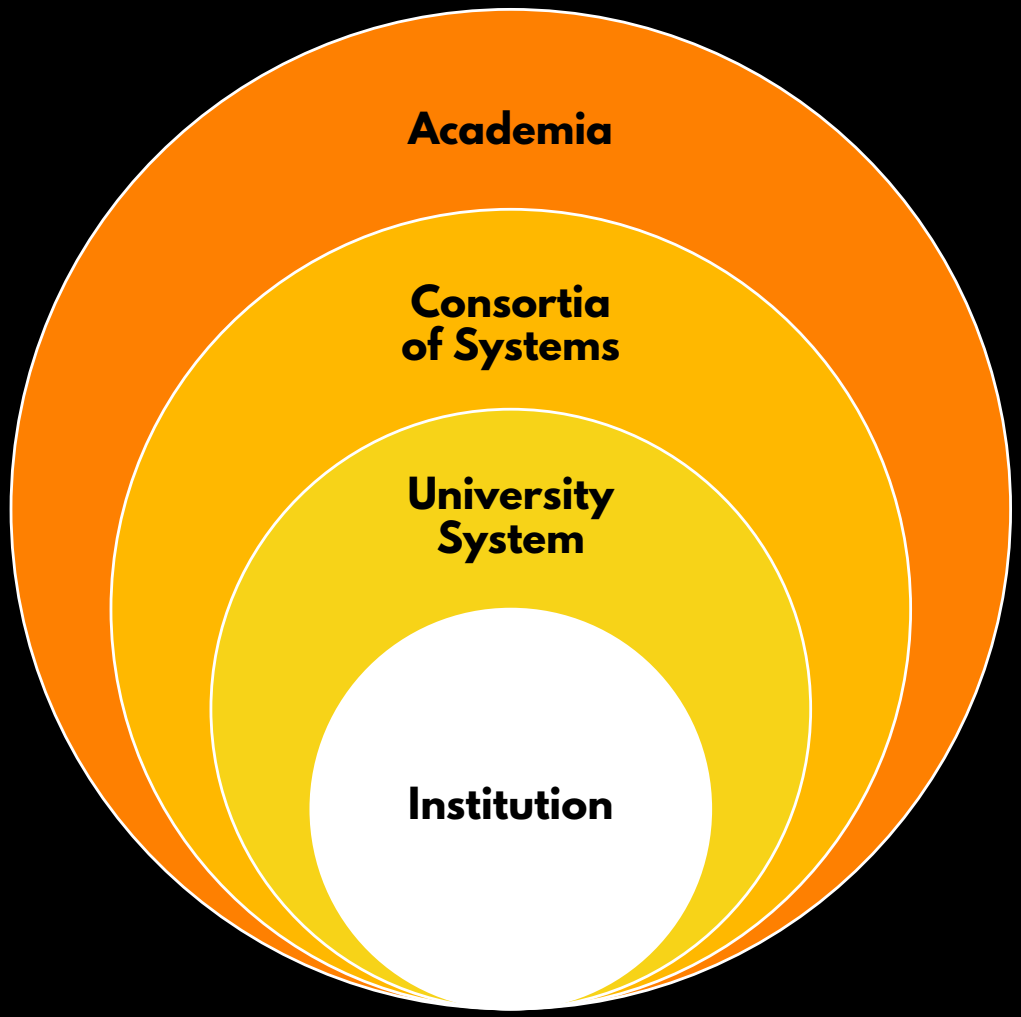
Meyers et al., 2018 (https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0190606) supplemented with: National Survey of Science and Engineering Statistics, NSF Survey of earned doctorates, National Center for Education Statistics for 2019 data.

Diversity in Chemistry Faculty Is Equally Stagnant and Low

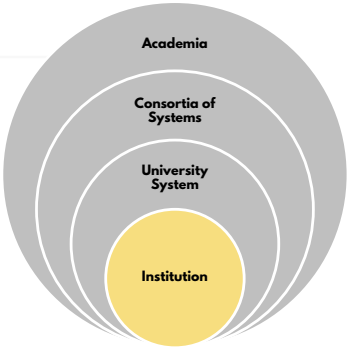


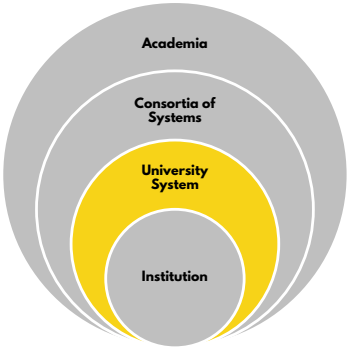
American Chemical Society

Where initiatives take place



UMBC Fellows for Faculty Diversity





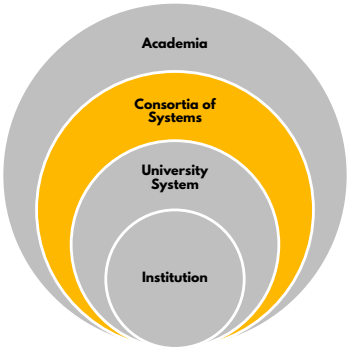
The AGEP PROMISE Academy Alliance

Salisbury University | Towson University | University of Maryland Baltimore | UMBC | University of Maryland

University System of Maryland

National Science Foundation (NSF), Directorate for Education and Human Resources (EHR), Division of Human Resource Development (HRD). NSF AGEP HRD Awards: University of Maryland Baltimore County (UMBC) (1820984), University of Maryland College Park (UMCP) (1820975), University of Maryland at Baltimore (UMB) (1820983), and Salisbury University (SU) (1820971), and Towson University (TU) (1820974)

Re-Imagining STEM Equity Utilizing Postdoctoral Pathways



RISEUPP

AN NSF INCLUDES ALLIANCE

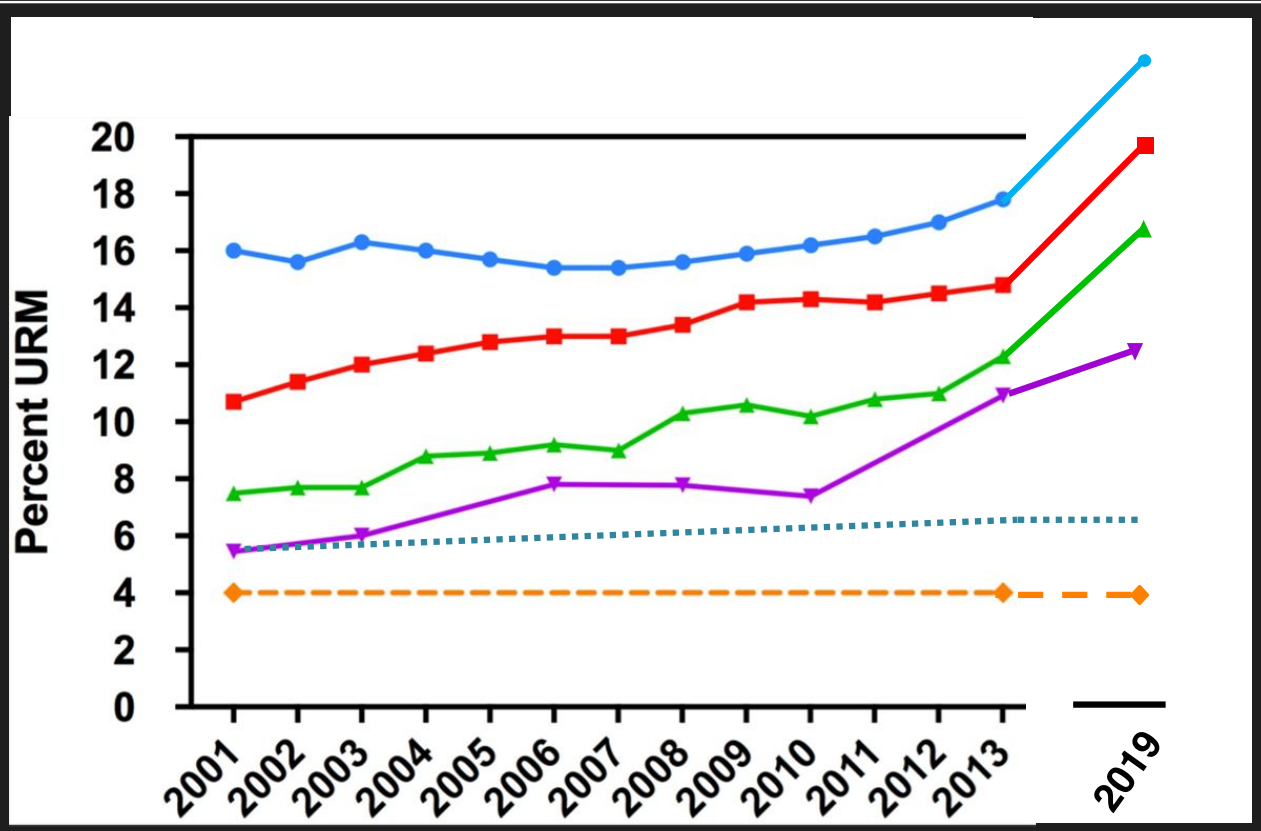
8/15/2022-7/31/2027

National Science Foundation (NSF), Directorate for Education and Human Resources (EHR), Division of Human Resource Development (HRD). NSF EHR HRD Award 2217329.

Why Postdoctoral Conversion ?

- Position instability
- Mentor Limitations/ Mismatch
- Lack of Inter-Institutional Exposure
- Bias

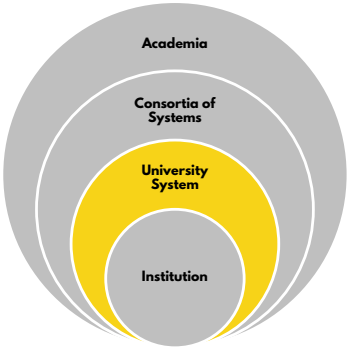
The postdoc to faculty transition is one of the major leaks in the pipeline for biomedical sciences



Meyers et al., 2018 (https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0190606) supplemented with: National Survey of Science and Engineering Statistics, NSF Survey of earned doctorates, National Center for Education Statistics for 2019 data.

Why a State System Approach?

- Leverage Strengths for Intercampus PD
- Provide Community of Same-Stage URMs
- Expose Fellows to Different Types of Institutions/"Matches"
- Retaining scholars benefits everyone



The AGEP PROMISE Academy Alliance

Salisbury University | Towson University | University of Maryland Baltimore | UMBC | University of Maryland

University System of Maryland

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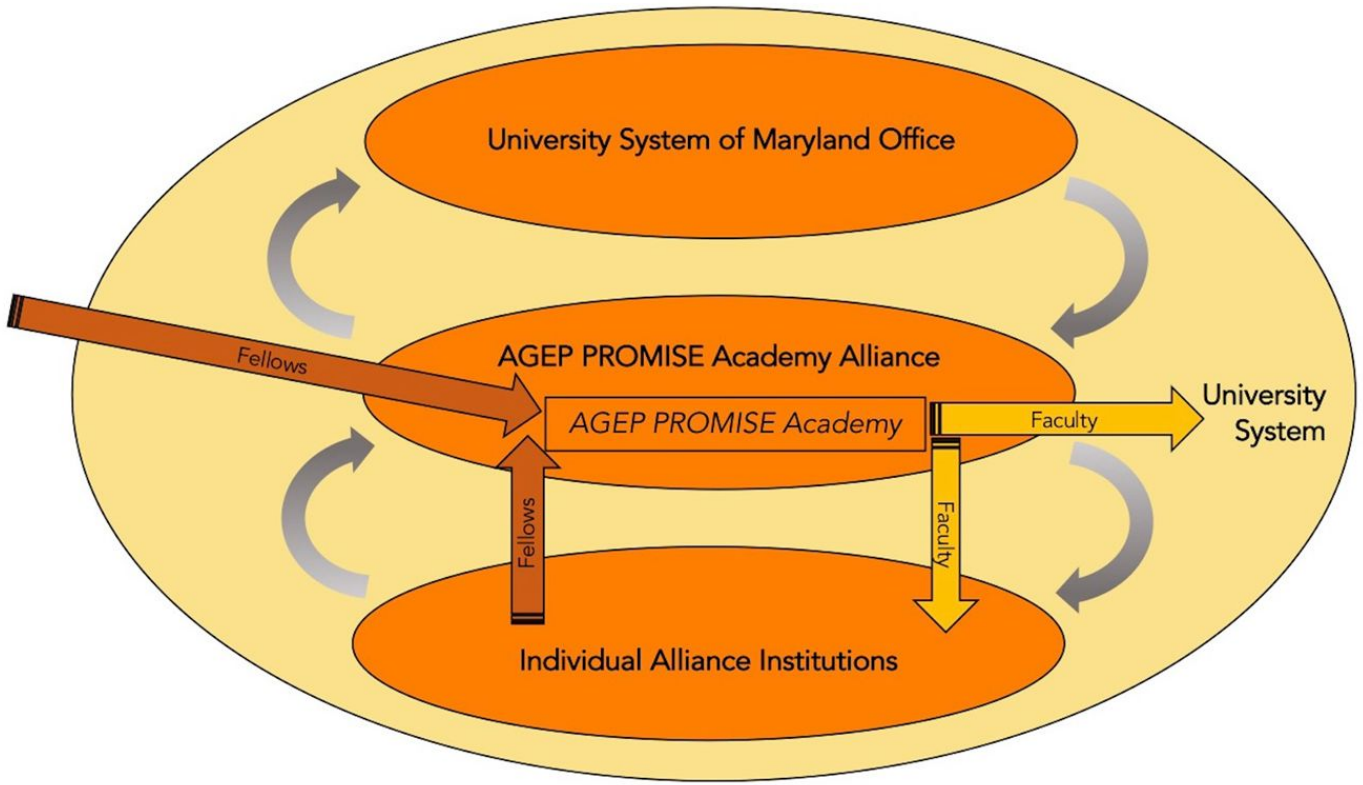
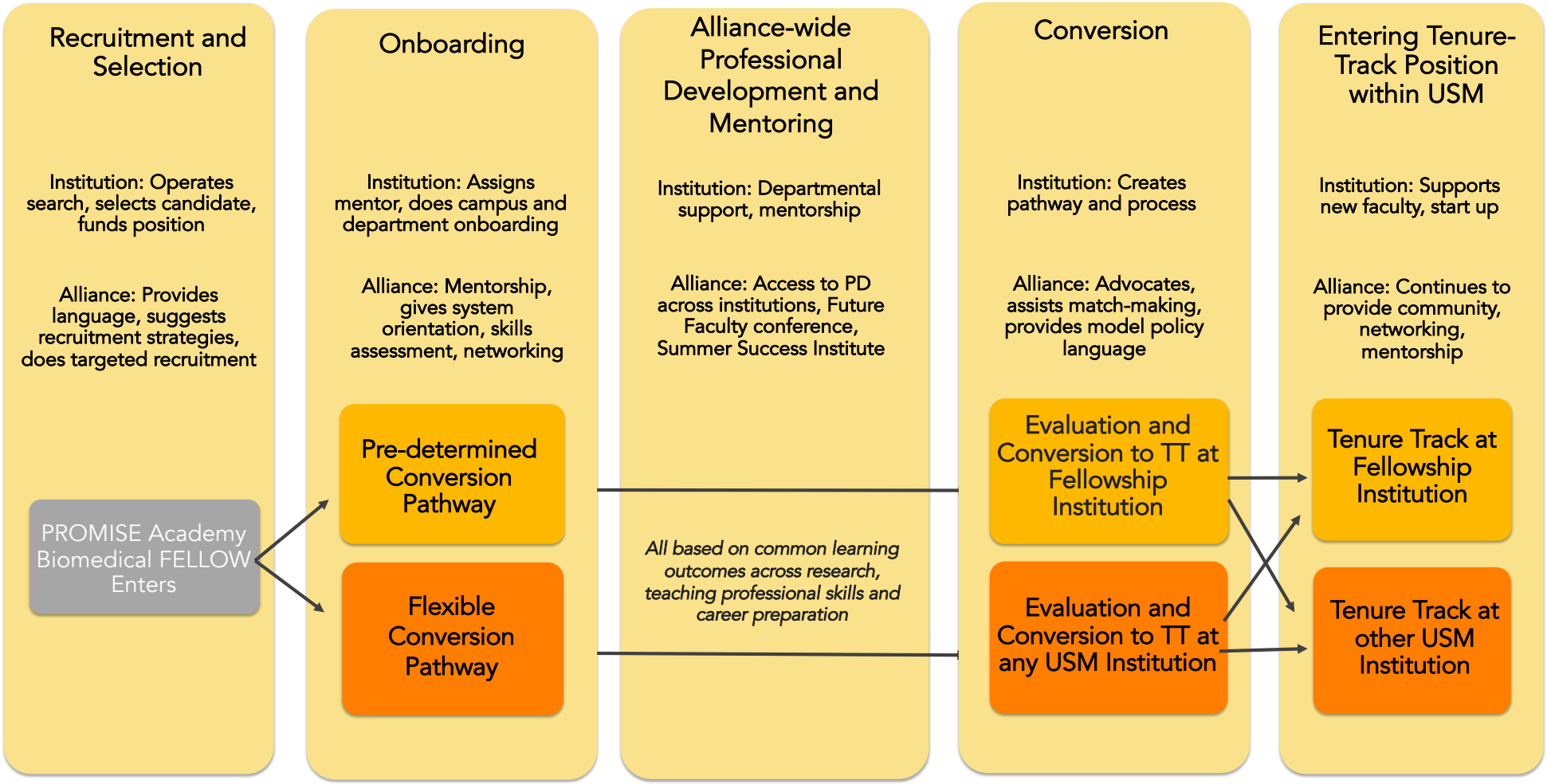
Figure 2



Cresiski RH, Ghent CA, Rutledge JC, Carter-Veale WY, Aumiller J, Bertot JC, Enekwe B, Golembewski E, Medina Y, Scott MS. Developing a State University System Model to Diversify Faculty in the Biomedical Sciences. Front Psychol. 2022 Mar 17;13:734145. doi: 10.3389/fpsyg.2022.734145. PMID: 35369137; PMCID: PMC8971808.

USM's AGEP PROMISE Academy Postdoctoral Conversion Model

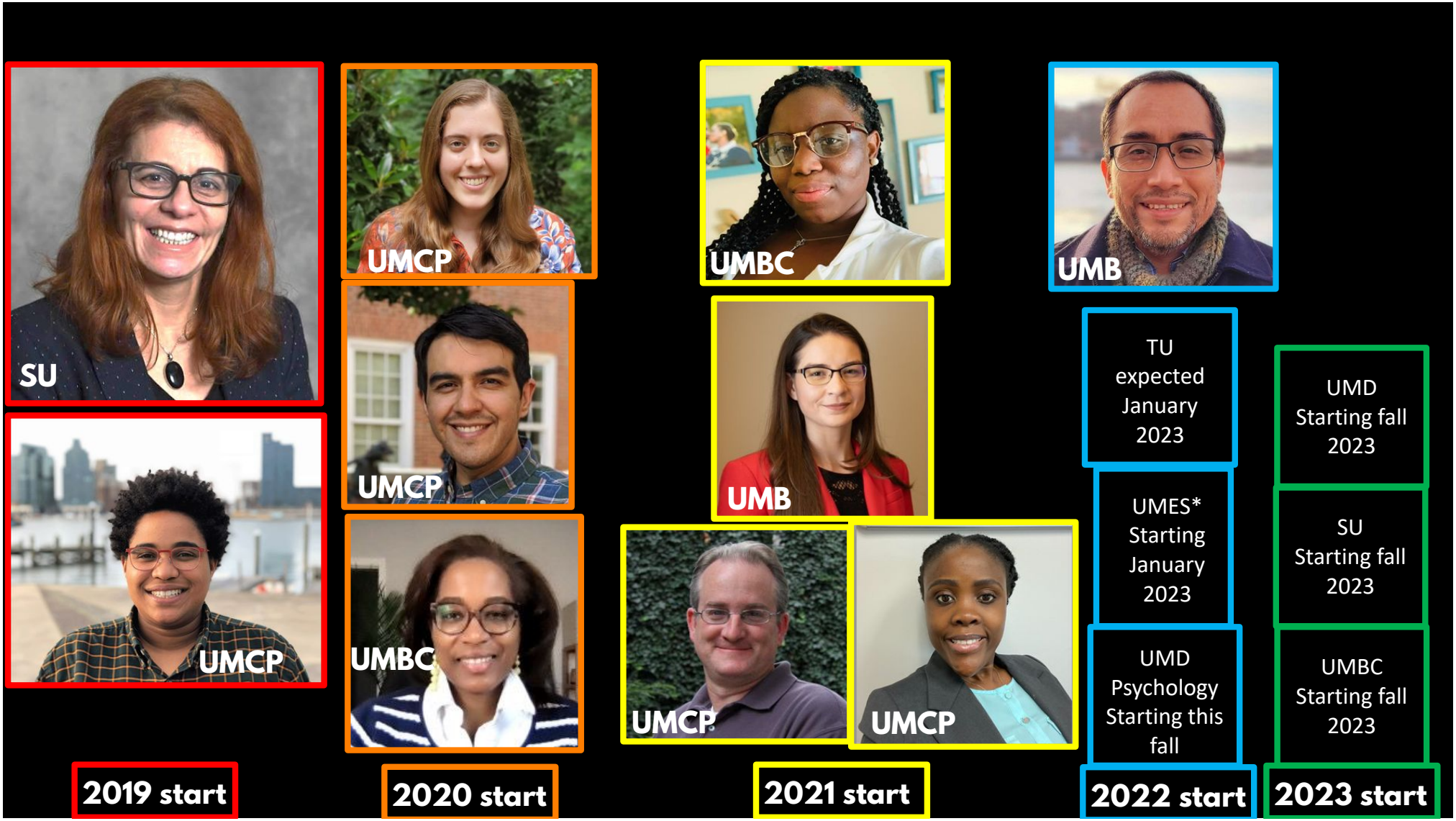


Conversion to the tenure track is

intended

not

guaranteed


SU
UMCP
UMCP
UMBC
UMBC
UMB
UMB
TU expected January 2023
UMES* Starting January 2023
UMD Psychology Starting this fall
UMD Starting fall 2023
SU Starting fall 2023
UMBC Starting fall 2023
UMCP
UMCP
2019 start
2020 start
2021 start
2022 start
2023 start

Standardization and Institutionalization

Standardizing across institutions is hard work

Handshake agreements on practices

# of institutions with predetermined pathway grown from 2 to 5, but programs differ

No current system-wide policies, infrastructure, funding mechanisms, or incentives

Results

3/10 are in tenure track

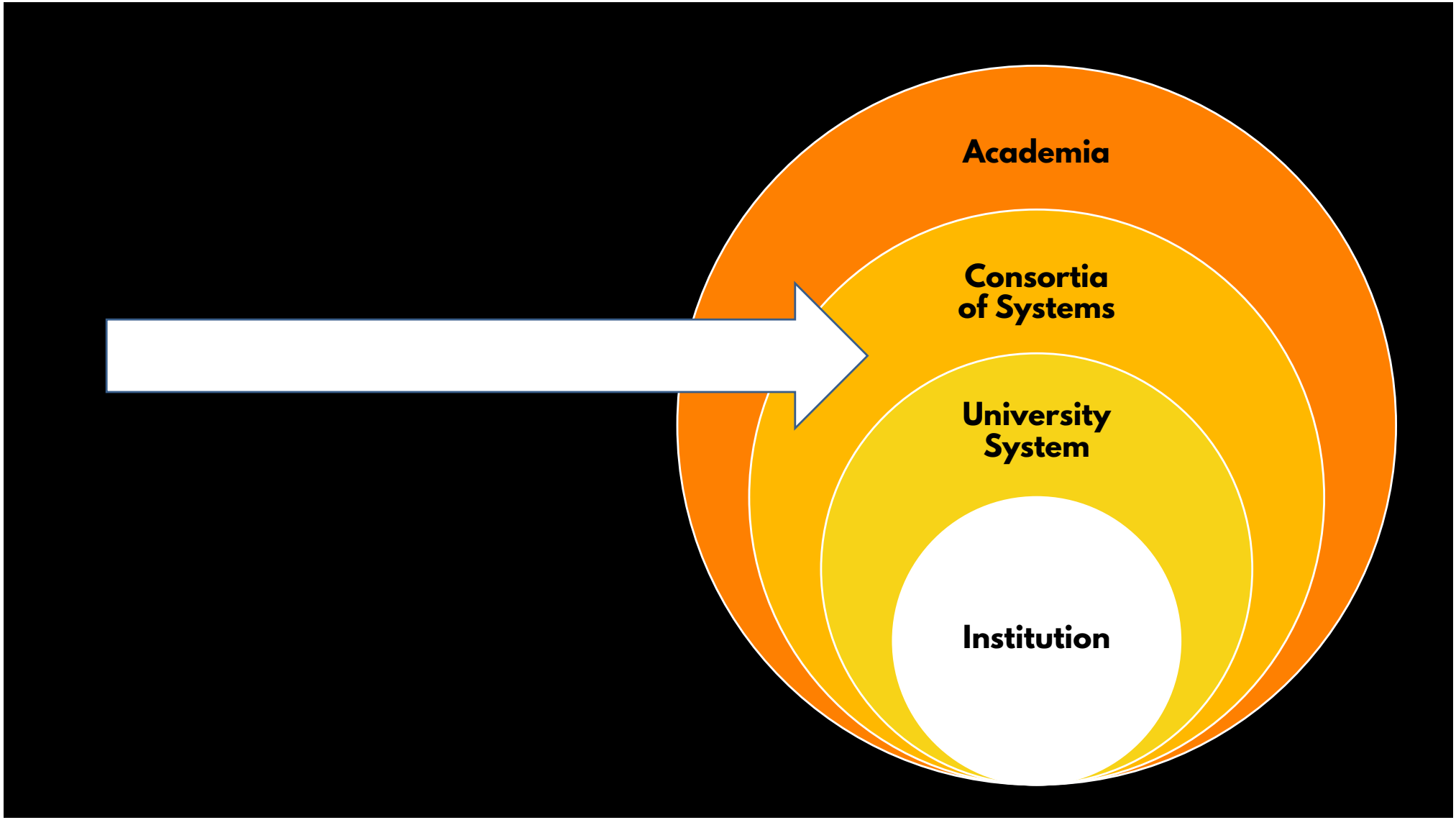
2/10 are in the process of converting this year

4/10 are still in fellowship hope to convert/stay in MD

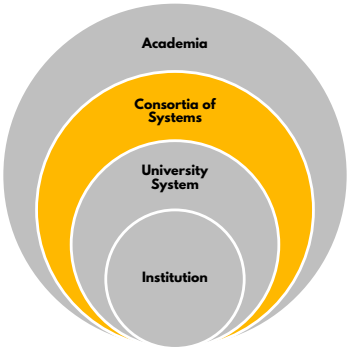
1 left for industry

Nationally only 17% of postdocs become tenure track professors.

Andalib MA, Ghaffarzadegan N, Larson RC. The postdoc queue: A labour force in waiting. *Systems research and behavioral science*. 2018;35(6):675–86.


Academia
Consortia of Systems
University System
Institution

Re-Imagining STEM Equity Utilizing Postdoctoral Pathways

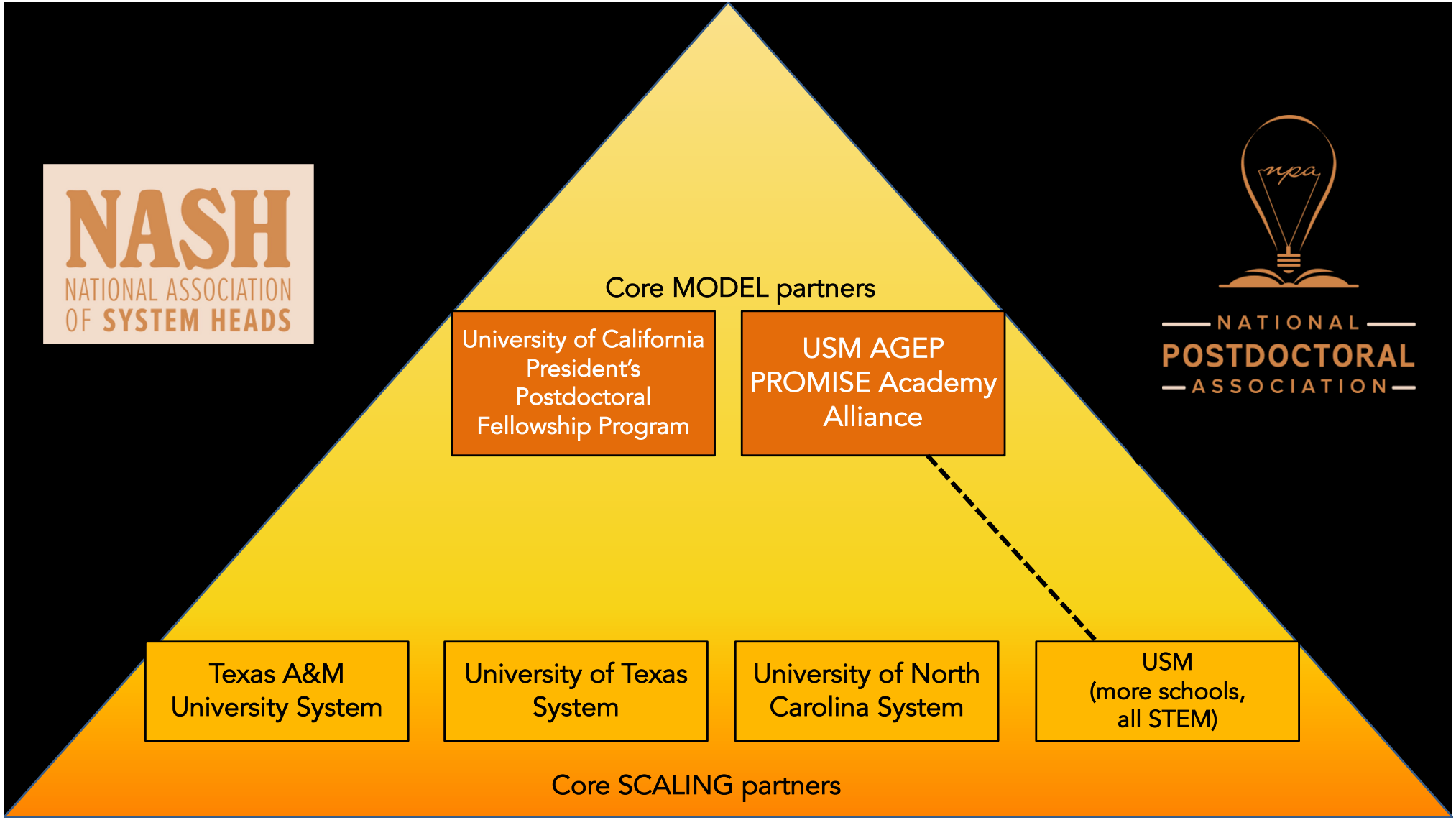


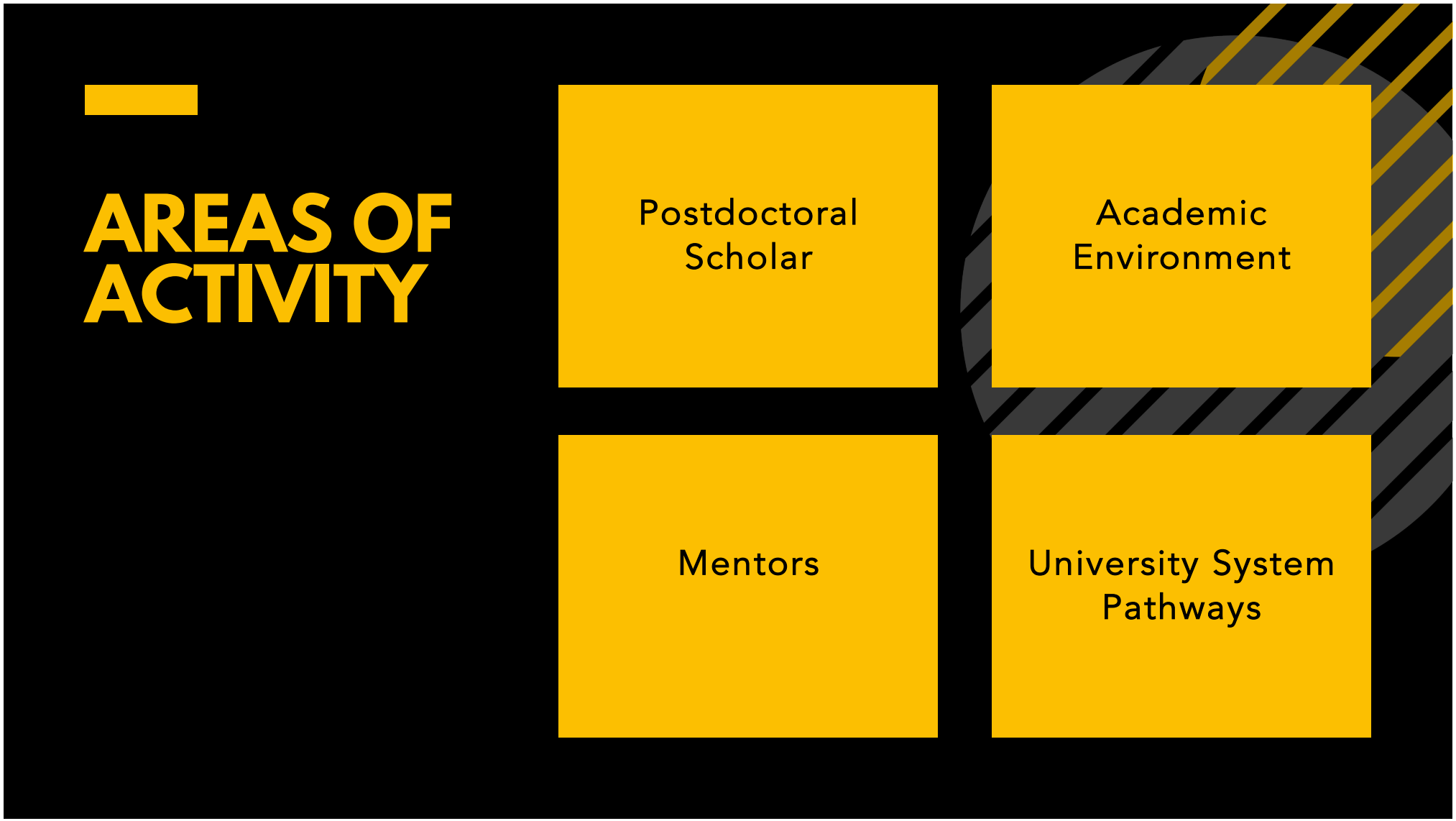
RISEUPP

AN NSF INCLUDES ALLIANCE

8/15/2022-7/31/2027

National Science Foundation (NSF), Directorate for Education and Human Resources (EHR), Division of Human Resource Development (HRD). NSF EHR HRD Award 2217329.


NASH
NATIONAL ASSOCIATION OF SYSTEM HEADS
NATIONAL POSTDOCTORAL ASSOCIATION
Core MODEL partners
University of California President's Postdoctoral Fellowship Program
USM AGEP PROMISE Academy Alliance
Texas A&M University System
University of Texas System
University of North Carolina System
USM (more schools, all STEM)
Core SCALING partners


AREAS OF ACTIVITY
Postdoctoral Scholar
Academic Environment
Mentors
University System Pathways

Our Leadership

Philip Rous, PI
Provost, UMBC

Leslie Gonzales
Co-PI
Assoc. Professor, MSU

Robin Cresiski
Co-PI
Asst. Vice Provost, UMBC

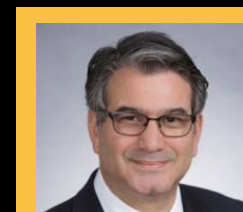
Archie Holmes
Co-PI
Executive Vice Chancellor for Academic Affairs, UT System

Kimberly van Noort
Co-PI
Sr. Vice President for Academic Affairs, UNC System

Blessing Enekwe
Executive Director
UM College Park

Rebecca Martin
Executive Director
NASH

Annie McGowan
VP & Assoc. Provost for Diversity
Texas A&M



Mark Lawson
Director, PPFP
University of California

Our hopes for your involvement

- Pathway development at system & institutions
- Participation across institutions
- Centralization – funding, (legislative request?) infrastructure, training

Questions ?

Contact me
Dr. Robin Cresiski
rcresisk@umbc.edu

Office of the Vice Chancellor for Research and Economic Development

Board of Regents Retreat

Powering the USM Research Enterprise for Growth and Economic Impact

October 12-13, 2022

University System of Maryland

Agenda

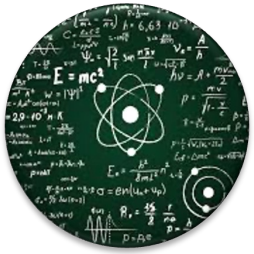
1. Research as a Driver of Growth
2. Sparking Basic Research
3. Promoting Applied Research
4. Catalyzing Discovery and Innovation
5. Advancing Knowledge Transfer
6. Attaining Impacts
7. Measuring Value
8. The Power of the USM

University System of Maryland

10-13-2022

University System of Maryland

1. Research as a Driver of Growth in the Knowledge Economy

Basic Research	Applied Research	Discovery & Innovation	Knowledge Transfer	Impacts
				
Advancing growth in externally sponsored research and creative activities	Growth in purpose-driven, mission research programs and collaborations	Fostering a culture of discovery, innovation, scholarship, and creative work	Advancing intellectual property through patents, licenses, and startups	Economic, workforce, and societal impacts

2. Sparking Basic Research

- Foster a culture of recognition of excellence in research, creative activities, and innovation
  - *Celebrate and recognize achievements*
  - *Embrace diversity*
  - *Invest in success*
  - *Develop talent pipeline*

Basic Research | Applied Research | Discovery & Innovation | Knowledge Transfer | Impacts

University System of Maryland

- Align USM strengths in strategic areas of excellence
  - *Identify pillars for system growth*
  - *Enhance capacity for research*
  - *Support cross institutional partnerships*
  - *Position institutions for growth*

- Provide technical assistance to support growth
  - *Grants and compliance assistance*
  - *Design knowledge of practice network*
  - *Identify partners for success*

PRIM&R Public Responsibility in Medicine and Research

Association of Public & Land-grant Universities

SRA International | Society of Research Administrators International

ORAU

COGR Council On Governmental Relations

UIDP Strengthening University-Industry Partnerships

NAI National Academy of Inventors

National Academies Sciences Engineering Medicine

autm

Federal Demonstration Partnership
Redefining the Government & University Research Partnership

Government-University-Industry Research Roundtable

University System of Maryland

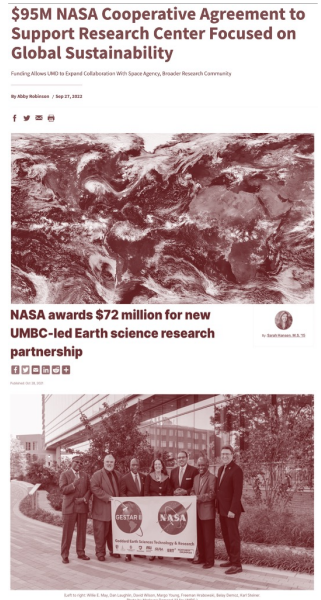
3. Promoting Applied Research

- Cultivate relationships with mission-specific funders in government, industry, and philanthropy
- Build alliances across the USM and with other institutions to enhance opportunities for success
- Grow leadership for national centers and initiatives

NASA

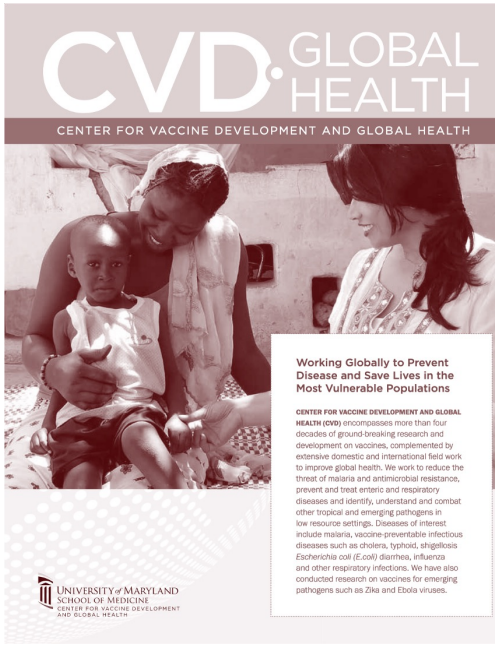
University of Maryland

UMBC



4. Catalyzing Discovery and Innovation

- Enhancing the environment for the development of intellectual property (IP) that can be protected and advanced
- Programmatic and research centers dedicated to the creation of IP
  - *Vaccine development*
  - *Applied engineering*
  - *Technologies for sustainment and sustainability*
  - *Big Data, Machine Learning, Artificial Intelligence, Cyber*
  - *Materials*
- Workforce Development



University System of Maryland

5. Advancing Knowledge Transfer

Remembering our "I"s:

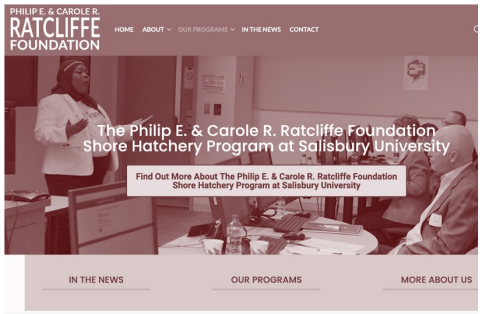
- *Investigators*
- *Intellectual Property (IP) disclosure*
- *Institutional commercialization processes*
- *Incentives for participation in discovery science*
- *Infrastructure for advancing technologies*
- *Incubation of companies*
- *Investment to advance IP*

MLK4 and Discovery District Public Private Partnerships in MD

University System of Maryland

6. Attaining Impacts

- Supercharging the knowledge economy:
  - *Forming new companies*
  - *Creating jobs*
  - *Powering local economic development*
  - *Preparing workforce for the future of work*
- Maximizing societal benefits
  - *Solving intractable problems in such areas as energy, sustainability, food security, education, data systems, health disparities*
- Identifying system-wide education needs and opportunities



University System of Maryland

7. Measuring value

- Metrics for success
  - Grant submissions and expenditures
  - IP Disclosure
  - Patents
  - Income
  - Companies formed and jobs created
  - Research engagement by students and trainees
- Reputation
  - Rankings
  - Citations
  - Institutional classification
  - Affiliations
  - Preeminence of faculty, students, and alumni

University System of Maryland

8. The power of the USM

- Collaboration and partnership
- Multiplying successes
- Powering Maryland's economy
- Positioning institutions for optimization

$1.3 Billion Research Expenditures
$10.4 Billion Economic Impacts
57,505 Jobs
344 inventions per year
85 patents per year
19 IP based Startups per year
$4.6 M revenue per year
850+ Marketed Technologies

UNIVERSITY SYSTEM of MARYLAND

Discussion

Contact OVRED

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215-704-2739

Lindsay Ryan (she/her)
Interim Executive Director of Economic Development
lryan@usmd.edu
410-409-2236

Mike Ravenscroft
Managing Director, Momentum Fund
mravenscroft@usmd.edu
410.706.3361

University System of Maryland

UNIVERSITY SYSTEM of MARYLAND

BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION, INFORMATION OR DISCUSSION

TOPIC: Convening Closed Session

COMMITTEE: Committee of the Whole

DATE OF MEETING: October 13, 2022

SUMMARY: The Open Meetings Act permits public bodies to close their meetings to the public in special circumstances outlined in §3-305 of the Act and to carry out administrative functions exempted by §3-103 of the Act. The Board of Regents will now vote to reconvene in closed session. As required by law, the vote on the closing of the session will be recorded. A written statement of the reason(s) for closing the meeting, including a citation of the authority under §3-305 and a listing of the topics to be discussed, is available for public review.

It is possible that an issue could arise during a closed session that the Board determines should be discussed in open session or added to the closed session agenda for discussion. In that event, the Board would reconvene in open session to discuss the open session topic or to vote to reconvene in closed session to discuss the additional closed session topic.

ALTERNATIVE(S): No alternative is suggested.

FISCAL IMPACT: There is no fiscal impact

CHANCELLOR'S RECOMMENDATION: The Chancellor recommends that the BOR vote to reconvene in closed session.

COMMITTEE ACTION:	DATE:
BOARD ACTION:	DATE:

SUBMITTED BY: Denise Wilkerson, dwilkerson@usmd.edu, 410-576-5734

UNIVERSITY SYSTEM of MARYLAND

STATEMENT REGARDING CLOSING A MEETING
OF THE USM BOARD OF REGENTS

Date: October 13, 2022
Time: 12:50 p.m.
Location: The Hotel at the University of Maryland

STATUTORY AUTHORITY TO CLOSE A SESSION

Md. Code, General Provisions Article §3-305(b):

(1) To discuss:

[ ] (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or

[ ] (ii) Any other personnel matter that affects one or more specific individuals.

(2) [ ] To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.

(3) [ ] To consider the acquisition of real property for a public purpose and matters directly related thereto.

(4) [ ] To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

(5) [ ] To consider the investment of public funds.

(6) [ ] To consider the marketing of public securities.

(7) [ ] To consult with counsel to obtain legal advice on a legal matter.

(8) [ ] To consult with staff, consultants, or other individuals about pending or potential litigation.

(9) [ ] To conduct collective bargaining negotiations or consider matters that relate to the negotiations.

(10) [X] To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:

(i) the deployment of fire and police services and staff; and

(ii) the development and implementation of emergency plans.

(11) [ ] To prepare, administer or grade a scholastic, licensing, or qualifying examination.

(12) [ ] To conduct or discuss an investigative proceeding on actual or possible criminal conduct.

(13) [ ] To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

(14) [ ] Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

(15) [ ] To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to:

(i) security assessments or deployments relating to information resources technology;

(ii) network security information, including information that is:

1. related to passwords, personal identification numbers, access codes, encryption, or other components of the security system of a governmental entity;

2. collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate criminal activity; or

3. related to an assessment, made by or for a governmental entity or maintained by a governmental entity, of the vulnerability of a network to criminal activity; or

(iii) deployments or implementation of security personnel, critical infrastructure, or security devices.

Md. Code, General Provisions Article §3-103(a)(1)(i):

[X] Administrative Matters

TOPICS TO BE DISCUSSED:

1. Crisis management discussion and exercise; and
2. Discussion of Board of Regents survey results.

REASON FOR CLOSING:

1. To maintain confidentiality about the development and implementation of emergency planning (§3-305(b)(10)(ii)) and
2. To discuss an administrative matter concerning Board of Regents survey self-assessments (§3-103(a)(1)(i))