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**UNIVERSITY SYSTEM OF MARYLAND**  
**Office of Government Relations**  
**2015 End of Session Report**  
**April 14, 2015**

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The Maryland General Assembly completed its work for the 2015 Legislative Session and adjourned Sine Die at midnight. Today marks the end of the first regular session of the 2015-2018 term of the General Assembly of Maryland. Nearly 2,250 bills were introduced this session – 948 originated in the Senate and 1,300 originated in the House. In addition, the University System of Maryland (USM) Office of Government Relations, in conjunction with the state government relations representatives from each USM institution, tracked, or testified actively on, more than 50 individual bills that would have had varying impacts on the System, the faculty, staff and students.

One of the main responsibilities of the Chancellor's Office is to prepare and advance the annual operating and capital budgets for the 11 universities, one research institution, and two regional higher education centers that comprise the USM. Working closely with the USM State Relations Council, and often with our colleagues across all sectors of education, the USM succeeded in blocking or amending heavily several bills that would have imposed onerous new regulations or financially curtailed USM programs. At the same time, USM supported the efforts of legislative leadership to focus on the state's economic development structure and incentive programs to improve the business environment; joined with the Maryland Coalition Against Sexual Assault (MCASA) to support legislation that formalizes agreements with state sanctioned rape crisis centers and establishes the development of a sexual assault campus survey; and USM provided strong advocacy for legislation that helps open the door for Maryland veterans and their families to attend our institutions at in-state rates.

Our efforts do not happen in a silo. The USM Office of Government Relations, State Relations Council, Council of University System Staff (CUSS) and the Council of University System Faculty (CUSF), and the USM Student Council collaborated closely this year to share information and updates. Early in the legislative session, the USM Communications Council helped develop the message and major themes used throughout the presentations and publications. The ***"2015 USM Quick Points of Excellence"*** was distributed to members of the General Assembly.

It would be remiss not to acknowledge and thank the dedicated professional staff of the Department of Legislative Services (DLS), including both the analytical and committee staff of the House and Senate. These individuals provide critical analysis of the performance and function of the USM and often help translate the legislative intentions and objectives of those to whom they report.

The End-of-Session report is a snapshot of the major issues the System faced during the Session and their final resolution. The report is broken into four parts: Background, Operating Budget, Capital Budget, and Bill Watch.

## BACKGROUND

The 2015 Legislative Session for Maryland's public universities began amid less certain state economic conditions. The Board of Revenue Estimates put it best when they stated in their December analysis:

***“These downward revisions reflect the Board’s continued effort to align revenues with the new economic landscape in Maryland. Maryland is in the midst of a structural change as its economic competitive advantage, federal government spending growth has been displaced and is no longer expected to provide the strong growth it had between 2000 and 2011.”***

The Board also noted that as the national recovery accelerates, ***“Maryland’s economic trajectory has not and will not keep pace. Federal budget sequestration and continued federal budget policy uncertainty in general continue to drive a wedge between Maryland and the nation as a whole.”***

The state of Maryland faced an estimated \$802 million shortfall in FY 2016 and the Governor’s budget uses a wide variety of spending reductions to fill the gap. Two measures that would have a direct impact on USM employees are the elimination of funding for the FY 2016 merit increases for employees; and the rescission of the 2 percent COLA initiated on January 1, 2015 as of July 1, 2015.

In January 2015, the previous administration, faced with difficult fiscal conditions, elected to reduce the USM budget by \$40 million. The new administration proposed \$1.219 billion in General Funds and Higher Education Investment Funds for the USM. This represents an increase of \$15.4 million—or 1.3 percent—over the USM’s ***reduced*** FY15 budget level.

The FY 2016 operating budget is not an ideal budget for the USM. Governor Hogan and the General Assembly made great strides towards the elimination of the structural deficit, and for that, they should be commended. Nonetheless, the policy imperative to keep Maryland’s public universities affordable, accessible, and of the highest quality must be a high priority. The USM is gratified that the General Assembly fully funded the Governor’s proposed budget for the USM. However, the final budget agreement still leaves total USM funding \$47 million short of meeting all mandatory costs.

The USM will continue to remind policymakers of the critical role a homegrown, college-educated workforce plays in not only attracting business and industry, but also creating high-paying jobs. The Board of Regents, Chancellor Kirwan, and the institution presidents have persuasively and regularly delivered the message about the competitiveness of the USM in attracting the best and the brightest faculty, students, and skilled staff to keep the enterprise afloat.

## USM OPERATING BUDGET -- FINAL ACTIONS

Over the past three months, USM has worked closely with the General Assembly to try to ensure access to exceptional and affordable academic opportunities. Overall, between the state general fund and Higher Education Investment Fund (HEIF) support for USM is proposed to increase by just over \$15.4 million in FY 2016, to approximately \$1.219 billion – an increase of 1.3% over FY 2015. At the conclusion of the 2015 Legislative Session, the General Assembly made no reductions in state funding to the Governor's budget and did not transfer any USM fund balance.

### Key Budget Actions

The final budget agreement still leaves total USM funding \$47 million short of meeting all mandatory costs.

The Legislature has reserved funds to continue the two percent cost-of-living-adjustment (COLA) beyond July 1, 2015 for all state and university employees. Only the Governor has the authority to release these funds for this purpose.

The House and Senate Budget Conference Committee agreed to compromise language that requires DBM approval of inter-agency agreements of more than \$500,000. The Conference Committee also agreed on budget language that would allow USM institutions to judiciously grant salary increases in FY2016 for the retention of key faculty and operationally critical staff.

**Sexual Misconduct Policies:** Restricts \$100,000 of the general fund appropriation to Maryland Higher Education Commission (MHEC) until a report is submitted detailing the revised sexual misconduct policies of institutions of higher education to ensure compliance with federal laws and regulations. The budget committees request all higher education institutions including community colleges and the four-year public and private nonprofit institutions: (1) report if the institution has an amnesty policy and if so how is it implemented; (2) with regard to pending federal requirements, how the institution plans to implement a climate survey; and (3) provide a list of all memoranda of understanding applicable to the issue of sexual misconduct. Institutions shall submit the information on or before December 1, 2015.

**Chancellor Performance Criteria:** The budget restricts \$100,000 of the University System of Maryland Office (USMO) general fund appropriation until a report is submitted on the performance criteria and goals that will be used to evaluate the performance of the chancellor as required by the Board of Regents' employment contract with the new chancellor effective July 1, 2015. The report is to be submitted by October 1, 2015.

**Coppin State University:** Restricts \$378,000 of the general fund appropriation provided in the fiscal 2014 supplemental budget to increase expenditures on institutional need-based financial aid only be expended to increase need-based aid above the fiscal 2015 level and expresses intent that expenditures on need-based aid should, at a minimum, be equivalent of expenditures in fiscal 2014.

**Historically Black Institutions:** Restricts \$4,900,000 in general funds designated to enhance the state's four historically black colleges and universities until the Maryland Higher Education Commission (MHEC) submits a report to the budget committees outlining how the funds will be spent. Due Date: July 1, 2015.

## **Committee Narrative**

**Report on the Reassessment of Fund Splits:** In calculating the State funded portion of personnel cost increases for State-supported positions (positions supported with State funds, tuition revenues, and other unrestricted funds), the Department of Budget and Management (DBM) uses fund splits that have not been reviewed in over 10 years. DBM originally developed the fund splits in consultation with the University System of Maryland (USM). A result of not regularly reviewing the fund splits, it does not accurately reflect changes in higher institutions' revenue streams in which tuition and fee revenues account for an increasing share of unrestricted revenues. Over the past two years questions have also been raised regarding what portion of cost-of-living adjustments and salary increments should be funded by the State. Therefore, the budget committees are interested in the development of fund splits in which the State funds a fair and proportionate share of increases in personnel costs related to State-supported positions. USM and DBM, along with the Department of Legislative Services (DLS), should review the fund splits and submit a report to the committees on the current fund splits, and to the extent consensus can be reached, the proposed new splits and how the portions were calculated, by August 15, 2015.

**Financial Aid Deadline:** March 1<sup>st</sup> is a State deadline to be eligible for specific scholarships and financial aid programs; the federal deadline for the Free Application for Federal Student Aid (FAFSA) is June 30. It is the intent of the budget committees that the Maryland Higher Education Commission (MHEC), in consultation with the University System of Maryland, Morgan State University, St. Mary's College of Maryland, the Maryland Association of Community Colleges, and the Maryland Independent College and University Association, be responsible for a report, which examines the positives and negatives of changing the Maryland deadline for FAFSA submission closer to aligning with the federal deadline of June 30 and examines the award process regarding timing and availability of financial awards. The report is due to the budget committees no later than October 30, 2015.

**Consolidated Maryland Net Price Calculator Information:** The committees are interested in the feasibility of the Maryland Higher Education Commission (MHEC) operating a centralized website showing the federally required net price calculator for all Maryland higher education institutions. MHEC should explore options such as whether this could be included within existing state programs, such as the MDGo4It website. The report shall be submitted by December 15, 2015.

**Recommendations for New Metrics and Programs for Nontraditional**

**Students:** The committees are concerned that standard metrics, such as the graduation rate for first-time, full-time students, for evaluating institutional outcomes are not appropriate for institutions that enroll a majority of nontraditional students. Additionally, many State programs focus only on students enrolling in higher education directly from high school. The committees' request that the Maryland Higher Education Commission (MHEC) propose new metrics that more accurately measure how well an institution gets nontraditional students to graduation. MHEC should also examine its own programs and other State programs that assist students enrolling in, or success within, higher education. MHEC should take a broad view as to who nontraditional students are, where they enroll, for how long, and what challenges exist outside the classroom for these students and what institutions can do to facilitate success in this student demographic.

**Report to Ensure High Quality Teachers:** The P-20 Council established a task force on teacher education to develop recommendations and an action plan to ensure Maryland programs produce high quality teachers. The budget committees are interested in the taskforce examining identified best practices of high performing countries and developing recommendations to producing high quality teachers and making teaching a profession with career ladders. The committees' request the taskforce to submit a report with recommendations to ensure Maryland produces high quality teachers based on identified best practices. Due Date: November 15, 2015.

**Progress Toward Programs Meeting Performance Metrics:** The fiscal 2014 budget provided \$13 million in general funds to fund program enhancements or initiatives and the fiscal 2015 budget included an additional \$10 million for enhancements that were funded from fund balance in fiscal 2014. These funds are being used to support activities addressing three University of Maryland goals of (1) transforming the academic model; (2) increasing graduates in science, technology, engineering, and mathematics and health professions; and (3) helping the State achieve its 55% completion goal which includes closing the achievement gap. The University System of Maryland (USM) submitted a report in July 2013 detailing how these funds would be spent and the metrics to be used to measure the progress or results of the enhancement funded activities. The committees are interested in the progress these activities have made toward meeting the metrics in fiscal 2015 and progress made to date in fiscal 2016. Due Date: November 1, 2015.

**Report on Use of Physicians' Fee Revenue:** The committees are interested in the uses of special funds that the Maryland Higher Education Commission (MHEC) receives from the Board of Physicians for the purpose of the Health Personnel Shortage Incentive Grant program and the Maryland Loan Assistance Repayment Program for Physicians. MHEC should report how much funding has been received for both programs from fiscal 2010 through 2015, how much has been expended, and how awards are made and to whom they are made. MHEC should also include any recommendations to improve these programs' outcomes given the coordination that is required with the Board of Physicians, the Department of Health and Mental Hygiene, and higher education institutions. Due Date: December 15, 2015.

**Report on Credit-Free Courses and Programs:** The committees are interested in the noncredit, or credit-free, courses and certificate and training programs offered at Maryland's community colleges, and having this information available in a single comprehensive report. The report should include enrollment, program completion outcomes, certificates or other equivalent awards earned by type, employment status of graduates, and wage gains for graduates. When submitting the report, the Maryland Higher Education Commission (MHEC) should also recommend new metrics and any changes to State programs to benefit nontraditional students. Due Date: December 15, 2015.

**Instructional Faculty Workload Report:** The committees request that the USM, MSU and SMCM continue to provide annual instructional workload reports for tenured and tenure-track faculty. By focusing on the faculty cohort, the committees gain a sense of the teaching activities for the regular core faculty. However, there are other types of instructional faculty at institutions such as full- and part-time non-tenured/non tenure-track faculty including adjunct faculty, instructors, and lecturers. Focusing on only tenured/tenure-track faculty provides an incomplete picture of how students are taught. Therefore, the report should also include the instructional workload when all types of faculty are considered. Additional information may be included at the institution's discretion. Furthermore, USM's report should include the percent of faculty meeting or exceeding teaching standards for tenured and tenure-track faculty for the University of Maryland, Baltimore.

**Institutional Aid by Expected Family Contribution Category:** The committees request that data be submitted in an electronic format (excel file) for each University System of Maryland (USM) institution on undergraduate institutional aid awards. Data should include the number of institutional aid awards and average award size by expected family contribution (EFC) for institutional grants, institutional athletic scholarships, and other institutional scholarships as reported to the Maryland Higher Education Commission (MHEC) for fiscal 2014. Data should also include the number of institutional aid awards and average award size by EFC for tuition waivers/remissions of fees to employees and dependents for fiscal 2014. Due Date: December 15, 2015.

**Loan Data by Expected Family Contribution Category:** In order to more fully understand all of the types of aid available to students, the committees request that undergraduate loan data be submitted for each USM institution. Data should include, by expected family contribution (EFC), the number of loans and average loan size of federal subsidized and unsubsidized loans, and loans from private sources reported to the MHEC for fiscal 2014. Additionally, data should be provided on Pell Grants including the number and average award size by EFC for FY 2014. Due Date: December 15, 2015.

## **USM CAPITAL CONSTRUCTION BUDGET**

Each year, the Governor proposes a capital budget that authorizes the issuance of debt (General Obligation Bonds) for statewide capital projects, which includes those projects within the University System of Maryland. Included in the annual authorization are funds for the construction of new facilities, renovation of existing facilities, improvements to infrastructure, property acquisition, and maintenance and renewal funding for facilities.



USM urged full funding of the Governor's FY 2016 budget recommendations for all System institutions, as well as our system-wide Facilities Renewal program. With a commitment of more than \$327 million in FY 2016 in general obligation and academic revenue bonds, the General Assembly approved all of the USM projects included in the Governor's Capital Budget as well as additional funding for projects not in the budget. USM relies heavily on our campus infrastructure to deliver quality academic programs and house critical research.

The USM must gain legislative approval to use academic revenue bond (ARB) proceeds for certain capital improvement projects at academic facilities. The Governor's fiscal 2016 Capital Improvement Program (CIP) proposed \$34.5 million in ARBs in fiscal 2016 and \$32 million annually in fiscal 2017 through 2020. The General Assembly approved for FY 2016 a capital budget that adopts the ARB's totaling \$54.5 million.

The overall FY 2016 capital improvement program as approved by the General Assembly includes:

### **CAPITAL CONSTRUCTION PROCESS REVIEW**

>The committees requested that the Department of Budget and Management (DBM) with the assistance of the Department of General Services (DGS) and the University System of Maryland (USM) Cost Centers undertake a comprehensive review of the capital construction management processes, procedures, and controls used by all State agencies.

### **UNIVERSITY OF MARYLAND, COLLEGE PARK**

>Campus-wide Building System and Infrastructure Improvements. Provide \$10 million for campus-wide infrastructure improvements on the College Park campus.

>Edward St. John Learning and Teaching Center & Chemistry Facilities Expansion. Provide \$65.650 million to construct the new Edward St. John Learning and Teaching Center, including construction of the addition for chemistry instruction.

>Human Performance and Academic Research Facility. Provide \$2 million to plan and design the renovation of the Cole Field House, which will house the new Human Performance and Academic Research Facility.

>New Bioengineering Building. Provide \$30 million to begin construction on a new Bioengineering Building.

>High Speed Data Computing Infrastructure Improvements. Provides \$1 million to design, construct, and equip infrastructure improvements to existing high computing data network systems. This will accommodate the university's collaboration with the Johns Hopkins University new High Performance Computing Data Center.

## **BOWIE STATE UNIVERSITY**

➤ New Natural Sciences Center. Provide \$39.7 million to construct a new Natural Sciences Center.

## **UNIVERSITY OF MARYLAND EASTERN SHORE**

➤ New Engineering and Aviation Science Building. Provide \$6.5 million to construct and equip the Engineering and Aviation Science Building.

## **FROSTBURG STATE UNIVERSITY**

➤ Public Safety Facility. Provide \$5.1 million to construct a new University Public Safety Facility.

## **COPPIN STATE UNIVERSITY**

➤ College of Business Facility. Provide \$3.4 million in pre-authorized 2017 funds to renovate the Julian Science Center for Coppin's College of Business.

## **SALISBURY UNIVERSITY**

➤ New Academic Commons. Provide \$53.2 million to construct a new Academic Commons (Library).

## **UNIVERSITY OF MARYLAND, BALTIMORE**

➤ Health Sciences Research Facility III. Provide \$81.55 million to construct a new Health Sciences Research Facility.

## **UNIVERSITY OF MARYLAND BALTIMORE COUNTY**

➤ Interdisciplinary Life Sciences Building. Provide \$6 million to construct a building for Interdisciplinary and Life Sciences Research Building.

## **UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE**

➤ New Environmental Sustainability Research Laboratory. Provide \$4.5 million to equip the recently constructed New Environmental Sustainability Research Laboratory.

## **UNIVERSITY SYSTEM OF MARYLAND OFFICE**

➤ Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Provide \$4.7 million to construct a Biomedical Sciences and Engineering Education Facility at the Shady Grove Educational Center.



>Capital Facilities Renewal Program. Provide \$17 million for System capital facilities renewal projects.

>Southern Maryland Regional Higher Education Center New Phase III Facility. Provide \$450,000 for planning and design of the Southern Maryland Regional Higher Education Center New Phase III Facility.

## **USM BILLWATCH**

### **House Bill 57**

**(Cross filed with Senate Bill 237)**

**University System of Maryland - Pay It Forward Pilot Program and Tuition Freeze - Studies**

USM Position: Opposed

Final Status: Unfavorable

House Bill 57 and Senate Bill 237 would have required the Board of Regents of the USM to study the creation of a potential pilot program called Pay It Forward (PIF), which would replace the current system of charging students tuition and fees to attend a constituent institution of USM. Additionally, the task force would study whether the USM could successfully implement a program that would guarantee that tuition rates would not be increased for incoming undergraduate students during four years of study at the institution.

In 2013, the Oregon legislature passed House Bill 3472, which gave Oregon's Higher Education Coordinating Commission (HECC) two years to study whether a PIF plan should be piloted. Under this model, rather than paying tuition to attend public institutions, students would pay a fixed percentage of adjusted gross income for a set amount of time after graduation into a trust fund. Essentially, the state or university system would function as a bank. In August of last year, the Oregon HECC abandoned their support for PIF citing cost, lack of support and the numerous logistical problems implementing the program would bring.

The USM questioned the need for a task force on a topic that has gained little, if any, credibility in the eyes of public financing experts.

### **House Bill 119**

**(Cross-filed with Senate Bill 708)**

**Construction Contracts - Change Orders (State Procurement Change Order Fairness Act)**

USM Position: Opposed

Final Status: Passed

House Bill 119 would require each state construction contract to include a clause related to the execution of change orders. The requirement extends to procurement units that are otherwise exempt from state procurement law, including the state's public institutions of higher education and public-private partnerships (P3s).

USM argued that allowing a contractor the right to delay a project – without penalty – in order to force a favorable agreement with the agency removes any motivation for prompt resolution of cost.

Effective remedies for contractors and subcontractors already reside in statute, regulation and university policy. USM procurement policy mirrors COMAR 21.07.02.02 that describes the process for identification of a change, the contractor's responsibility to assert a right to an equitable adjustment within 20 days, and the right of the contractor to file a claim for extra work within 30 days.

Most USM projects involve important deadlines for completion tied to the academic calendar. Under House Bill 119, projects could be delayed and schedules unmet with no recourse for the institution or agency. The remedies described in House Bill 119 would drastically and negatively alter the relationship public universities have with prime contractors and construction managers. House Bill 119 curtails the USM's ability to require a specified level of performance and quality, and curbs our statutory rights to order critical changes to projects the USM deems in the best interest of the state.

#### **House Bill 138 & House Bill 839** **Higher Education - Affirmative Consent Standard**

USM Position: Opposed

Final Status: Both Bills Unfavorable

House Bill 138 and House Bill 839 specifically changed the wording of the USM's affirmative consent statement and put it into statute. Dr. Boughman testified that while the intent of both bills was laudable, each contained fundamental flaws that could likely harm the very same victims they seek to help. Moreover, the USM believed codifying an affirmative consent standard creates an unnecessary and intractable burden for an issue that demands flexibility. House Bill 138 and House Bill 839 would simply restrict the ability of the USM institutions to respond immediately and administratively to campus culture and climate issues involving sexual assault.

As written, House Bill 138 and House Bill 839 would have extinguished any capacity to establish where the burden of proof lies among the parties. The bills actually permit both parties to share equally the burden of proof to show they had consent from the other party.

#### **House Bill 212** **Higher Education - College of Southern Maryland - Bachelor's Degree Programs**

USM Position: Opposed

Final Status: Held in Committee

House Bill 212 would authorize the College of Southern Maryland (CSM) to offer upper level undergraduate courses and to award bachelor's degrees. The bill requires that the bachelor's degree programs offered by CSM must include components of classroom instruction and online courses and services. Community colleges are not authorized to offer upper level undergraduate courses or bachelor's degrees. The USM is currently working with various

community colleges around Maryland to ensure access to upper-division coursework and curricula. Already there exist a myriad of 2+2 programs, which are a more efficient and effective way to deliver postsecondary. In fact, the College of Southern Maryland and the School of Nursing at the University of Maryland, Baltimore will sign an MOU to deliver a 2 + 2 nursing degree.

The Maryland Independent College and University Association (MICUA) joined USM in testifying against the bill.

### **House Bill 229**

**(Cross-filed with Senate Bill 604)**

#### **Human Relations - Employment Discrimination - Protection for Interns**

USM Position: Supported

Final Status: Passed

Under current law, discrimination in employment based on an individual's race, color, religion, national origin, sex, age, marital status, sexual orientation, gender identity, or disability is prohibited. This includes discrimination by employers with 15 or more employees, employment agencies, labor organizations, and training programs. Employers are also prohibited from failing or refusing to make a reasonable accommodation for the known disability of otherwise qualified employee. Discrimination is also prohibited against individuals who have opposed any discriminatory practice or made a charge, testified, assisted, or participated in any manner in an investigation, proceedings, or hearing relating to an alleged discriminatory act. Employment discrimination includes actions related to the printing or publishing of notices or advertisements, as specified.

House Bill 229 and Senate Bill 604 would extend these prohibitions to include acts against interns or applicants for internships and defines an "intern" as an individual who performs work for an employer for the purpose of training if (1) the employer is not committed to hire the individual performing the work at the conclusion of the training period and (2) the employer and the individual agree that the individual is not entitled to wages for the work performed.

Student leaders from across the USM were at the forefront of efforts to get this legislation passed.

### **House Bill 244**

**(Cross-filed with Senate Bill 526)**

#### **Maryland Second Chance Act of 2015**

USM Position: Monitored

Final Status: Passed

House Bill 244 and Senate Bill 526 would authorize a person to petition a court to shield their court records and police records relating to all "shield-able convictions" three years after the person satisfies parole, probation, or mandatory supervision. However, a conviction for theft of property or services with a value of less than \$1,000 may be shielded no earlier than five years

after serving the sentence. A court may grant one shielding petition to a person over the person's lifetime and may deny a petition for good cause. This authorization does not apply to a conviction for a domestic violence crime.

Generally, court records and police records are not eligible for shielding. State law does authorize, under certain circumstances, the shielding of court records pertaining to domestic violence proceedings if the petition has been dismissed and upon the respondent's written request.

House Bill 244 was of particular concern to the USM for two reasons: (1) professional schools that specialize in health occupations would not have access to information that is required for disclosure by their licensing bodies; and (2) the schools would not have access to this information when they were placing students in clinical placements.

### **House Bill 297**

**(Cross-filed with Senate Bill 225)**

#### **Higher Education - Unaccompanied Homeless Youth Tuition Exemption – Modification**

USM Position: Supported

Final Status: Passed

Last year, a law was established to create a mandatory fee waiver for specified unaccompanied homeless youth. However, the law does not explicitly require an unaccompanied homeless youth to reside in Maryland prior to matriculation to receive the tuition and mandatory fee waiver. The law also did not require institutions to periodically verify that an individual is an unaccompanied homeless youth.

House Bill 297 and Senate Bill 225 modify the existing tuition and fees exemption for Unaccompanied Homeless Youth. An "unaccompanied homeless youth" is defined as a child who (1) is not in the physical custody of a parent or guardian and (2) is a homeless child or youth, as defined by the McKinney-Vento Homeless Assistance Act.

The bill offered clarifying amendments to the law stating that only unaccompanied homeless youth who have been based in Maryland qualify. In addition, the USM supported this legislation to make it clear that a financial aid administrator must determine annually that an individual qualifies for a waiver. Legislators acknowledged that a student who may have been homeless when he or she finished high school might no longer qualify years later.

### **House Bill 333**

#### **Electronic Bingo and Electronic Tip Jars - Distribution of Admissions and Amusement Tax Revenues**

USM Position: Opposed

Final Status: Held in Committee

The Maryland General Assembly established the Maryland ENnovation Initiative Fund (MEIF) in the Department of Business and Economic Development (DBED) last year. Nonprofit institutions of higher education in the State may create research endowments, and upon

securing matching private donations, MEIF funds may be also distributed to the endowments. Investment earnings on the endowments must be expended to further basic and applied research in scientific and technical fields of study as specified by the law and as determined by MEIF.

The MEIF is funded by proceeds from the state Admissions and Amusement (A&A) tax on electronic bingo and electronic tip jars. House Bill 333 alters the distribution of revenue from the state Admissions and Amusement (A&A) tax in such a way that it would reduce funding to the MEIF by \$794,000 in FY 2016 and by \$747,000 in FY 2020. The USM strongly opposed such a move.

### **House Bill 364**

**(Cross-filed with Senate Bill 534)**

#### **Higher Education - College Admissions Outreach Program for High-Achieving Students – Establishment**

USM Position: Supported

Final Status: Held in Committee

These bills establish the College Admissions Outreach Program for High-Achieving Students. The purpose of the program is to encourage more students who qualify for a Guaranteed Access (GA) Grant to enroll in an institution of higher education that is a good academic and financial fit for the student. The Maryland Higher Education Commission (MHEC) and the Maryland State Department of Education (MSDE), in collaboration with local boards of education, local superintendents, and institutions of higher education, must jointly administer the program.

The program must provide the following information to each eligible student at no cost to the student: (1) information on college admissions and college application fee waivers; and (2) material encouraging students to apply to at least four institutions of higher education during the student's application process.

MHEC and MSDE must adopt regulations to define a "high-achieving student" and may adopt any other regulations necessary to implement the bill. Funds for the program are as provided in the State budget.

The USM supported this bill because of the critical need to attract and retain "homegrown" academic talent and future workforce needs of the state.

### **House Bill 373**

#### **Real Property - Candidates and Campaign Volunteers - Access to Private Residential Areas**

USM Position: Opposed

Final Status: Unfavorable

House Bill 373, as originally drafted, would have allowed candidates for political office access to college dormitories including the living quarters on residence hall wings. The USM believes

it is inappropriate to make an accommodation for a political candidate, or anyone soliciting on their behalf, which would allow entrance to secure dormitories.

Towson University and the University of Maryland, College Park worked closely with the sponsor of the bill to have the word “dormitories” struck from the bill.

#### **House Bill 443**

##### **Crimes Relating to Animals - Unauthorized Use of Dogs and Cats in Research Facilities – Penalties**

USM Position: Monitored

Final Status: Unfavorable

This bill established prohibitions and requirements applicable to research facilities in the State that use dogs or cats for “scientific research purposes.” Essentially the bill mandated research facilities to reduce to a minimum the number of dogs and cats used for scientific research purposes and that a facility must use scientifically reliable and relevant methods that do not involve the use of dogs or cats to the extent possible and in a manner that does not compromise the objectives of the research. Furthermore, the bill mandated that a dog or cat at a research facility may be euthanized only by a lethal injection of sodium pentobarbital administered by, or under the direct supervision of, a veterinarian licensed in the State.

The proposed legislation was duplicative of existing federal rules and regulations that govern animal research programs at academic health institutions. Animal research use at the University of Maryland is kept to the minimum as required by federal law and by both the United States Department of Agriculture and the National Institutes of Health’s Office of Laboratory Animal Welfare (OLAW). Furthermore, the NIH already prohibits the procurement of “non-purpose-bred” dogs and cats for NIH funded research.

USM institutions abides by the standards and guidelines of the 2013 American Veterinary Medical Association (AVMA) Guidelines for the Euthanasia of Animals that list all acceptable humane methods to euthanize a dog or cat.

#### **House Bill 448**

##### **(Cross-filed with Senate Bill 394)**

##### **Criminal Law - Hazing**

USM Position: Supported

Final Status: Unfavorable

House Bill 448 and Senate Bill 394 would increase the maximum monetary penalty for hazing from \$500 to \$5,000. The bill retains the maximum incarceration penalty for hazing under existing statute (imprisonment for up to six months).

Under current law, the statutory prohibition on hazing dictates that a person may not recklessly or intentionally engage in an act or create a situation that subjects a student to the risk of serious bodily injury for the purpose of an initiation into a student organization of a school, college, or university. Violators are guilty of a misdemeanor, punishable by imprisonment for



up to six months and/or a \$500 maximum fine. The implied or express consent of a student to hazing is not a defense.

The USM believes that taking a tougher stance on hazing could significantly deter its occurrence on college campuses across the State of Maryland.

#### **House Bill 514**

**(Cross-filed with Senate Bill 258)**

#### **Maryland Commission on Climate Change**

USM Position: Supported with amendments

Final Status: Passed

House Bill 514 establishes the Commission on Climate Change through legislation that was established by Executive Order in 2007. The president of the University of Maryland Center for Environmental Science (UMCES) would be a designated member of the Commission among many specific State Agency representatives and others. This legislation requires the Maryland Department of Environment to chair the Commission and advise the Governor and General Assembly on ways to mitigate the causes of, prepare for, and adapt to the consequences of climate change.

Finally, the bill requires various state agencies and units to review existing programs, recommend regulatory or other changes to support the State's greenhouse gas (GHG) reduction efforts, and report on specified items. UMCES is tasked with leading the development of sea level projections for the State every 5 years. UMCES last did these projections at the behest of the Maryland Commission on Climate Change in 2013. UMCES has the ability and expertise to produce the sea level rise projections as specified in the legislation.

#### **House Bill 538**

**(Cross-filed with Senate Bill 75)**

#### **Task Force to Study a Program for Interest-Free Loans to STEM College Students in Maryland**

USM Position: Monitored

Final Status: Held in Committee

House Bill 538 and Senate Bill 75 would establish the Task Force to Study a Program for Interest-Free Loans to Science, Technology, Engineering, and Math (STEM) college students in Maryland. The Maryland Higher Education Commission (MHEC) must provide staff for the task force and issue their findings and recommendations by June 30, 2016.

#### **House Bill 559**

#### **University System of Maryland - Law School Clinics - Prohibited Activities**

USM Position: Opposed

Final Status: Unfavorable

This bill prohibits a law clinic affiliated with a law school at a constituent institution of the University System of Maryland (USM) from initiating or participating in litigation opposing,

contesting, or seeking judicial review of an act, a decision, or a determination of a State agency, department, or board. Deans and students from both the University of Maryland Francis King Carey School of Law and the University of Baltimore School of Law testified in opposition.

Both law schools have clinic course offerings that allow students to merge theory with practice as they provide legal assistance to low-income individuals, families, and local communities around the State. If HB 559 became law, the ability for both law schools to provide such hands-on legal training to their students would be severely restricted.

Finally, the Deans expressed the concern that without this practical training, their students will graduate with fewer practice-ready skills and will also suffer or experience a competitive disadvantage to students from other regional law schools. Students at D.C. schools, for example, are eligible to practice in the State under Rule 16, even though they will not be subject to the restrictions of HB 559. The bill will therefore seriously undermine the competitiveness of Maryland graduates in an already saturated regional job market.

#### **House Bill 571**

##### **Institutions of Higher Education - Sexual Assault - Policy and Survey**

USM Position: Supported with Amendments

Final Status: Passed

House Bill 571 requires the sexual assault policies of higher education institutions in the State to comply with Title IX of the Education Amendments of 1972. The bill also requires the Maryland Higher Education Commission (MHEC), in consultation with institutions of higher education, to establish procedures for the administration of a sexual assault campus climate survey by each institution every two years and report and publish the results by June 1st. In addition, every two years beginning June 1, 2016, each institution must submit to MHEC data on sexual assault complaints made to the institution and other federally required reporting.

The USM offered amendments to House Bill 571 that called for a sexual assault climate survey every two years, the pursuit of “formalized agreements” with law enforcement and rape crisis centers, and preserve the ability of the institution to order a mandatory intervention for substance abuse.

House Bill 571, as amended, will allow the USM to capture information such as the current sexual assault climate on a particular campus, how it looks within specific student cohorts, or perceptions about reporting, confidentiality or access to resources. The committee was urged to be less prescriptive regarding the content of a survey.

**House Bill 578****(Cross-filed with Senate Bill 514)****Higher Education - Net Price Calculator Improvement Act – Establishment**

USM Position: Opposed

Final Status: Unfavorable

In accordance with the federal Higher Education Opportunity Act of 2008 (HEOA), by October 29, 2011, each postsecondary institution that participates in Title IV federal student aid programs must post a net price calculator on its website that uses institutional data to provide estimated net price information to current and prospective students and their families based on a student's individual circumstances.

While the USM believes that net price calculators are important for helping students and parents make well-informed decisions, this specific legislation contradicts federal law in several important aspects including differing data sets of financial information.

Additionally, the budget committees adopted language instructing the Maryland Higher Education Commission (MHEC) to study the feasibility of operating a centralized website showing the federally required net price calculator for all Maryland higher education institutions.

**House Bill 667****Higher Education Institutions - Sexual Assault, Violence, and Stalking - Prevention and Outreach Policies**

USM Position: Opposed

Final Status: Unfavorable

House Bill 667 would require institutions to adopt victim-centered policies and procedures may be interpreted to directly conflict with obligations under federal law. USM institutions have developed a trauma-informed approach to responding to sexual violence on its campuses. This approach emphasizes that actions taken during an institution's investigation and adjudication does not re-victimize a survivor. Federal law and guidance require educational institutions to provide equal opportunity, access, and support to both the victim and the accused student. Mandating victim-centered policies and victim advocates will impede an institution's ability to conduct an adequate, fair, and impartial process that complies with Title IX and Violence Against Women Act amendments.

House Bill 667 would also mandate memoranda of understanding with community-based organizations that must meet certain criteria. The committee was informed that this might be unattainable in certain communities. USM institutions each have working relationships with community-based health and victim advocate organizations.

The USM was concerned that mandating that institutions enter into MOU's with a community-based organization that provides support to student victims of sexual assault could result in a reduction of services. Many of these organizations are stretched financially for programs and staff and may be reluctant to enter into a formal MOU.

#### **House Bill 672**

**(Cross-filed with Senate Bill 496)**

#### **Maryland College Education Export Act of 2015**

USM Position: Supported

Final Status: Passed

House Bill 672 and Senate Bill 496 authorize the Maryland Higher Education Commission (MHEC) to enter into the State Authorization Reciprocity Agreement (SARA), and it exempts an institution that participates in SARA from being required to register with MHEC within three months of enrolling the first Maryland student in a fully online distance education program.

Membership in SARA has the potential to benefit Maryland students by standardizing quality assurance of distance education programs and enhancing access to tuition benefits for veterans. For Maryland institutions, SARA membership will reduce institutional administrative burdens and costs and broaden the reach of our authorized distance education programs.

As high-quality and affordable online programs play an increasingly important role in postsecondary education, the bills level the playing field for USM institutions to offer academic programs outside the state. Participation in SARA will make these online instructional options possible by removing costly and duplicative barriers in the required out-of-state approval process.

While there are some details remaining to work out, such as the fee structure and monitoring to assure SARA membership does not adversely affect clinical placements for Maryland residents, the USM is collaborating with MHEC to resolve those concerns

#### **House Bill 749**

**(Cross-filed with Senate Bill 817)**

#### **Higher Education - Sexual Assault Policies - Reporting**

USM Position: Opposed

Final Status: Unfavorable

House Bill 749 would have required, among other stipulations, institutions of higher education to include a "prominent notation" on the transcript of a student who has been suspended, dismissed or otherwise withdrawn from the institution while under investigation for certain sexual offenses.

A student transcript is an educational record regulated under Family Educational Rights and Privacy Act (FERPA). The transcript is also a record of academic achievement at an institution. If a student is permanently suspended or expelled from an institution, it is noted on

the transcript with a permanent notation, but the reasons for that expulsion are kept in separate educational student records that may be requested and released only upon the consent of the student. For any student misconduct that is sufficiently serious for expulsion, other academic institutions or employers would usually request that information. To differentiate sexual misconduct from other serious infractions by specific notation on transcripts would be akin to creating a de facto sexual offender list outside the legal system.

The USM urged an unfavorable report on House Bill 749 and expressed that the current policies and procedures appropriately notate conclusions of adjudicated cases, while protecting the rights of an accused student.

### **House Bill 778**

#### **Community Colleges - Cecil College - Bachelor's Degree in Nursing**

USM Position: Opposed

Final Status: Unfavorable

House Bill 778 would have allowed Cecil College to provide upper level undergraduate courses and a bachelor's degree program in nursing and award bachelor's degrees. The USM opposed House Bill 778 using a similar rationale regarding House Bill 212 and the College of Southern Maryland's desire to issue a baccalaureate degree.

The USM is currently working with various community colleges around Maryland to ensure increased access to courses and curricula. Already there exist a myriad of 2+2 programs, which are a more efficient and effective way to deliver postsecondary. In fact, Cecil College and the School of Nursing at Towson University signed an MOU to deliver a 2 + 2 nursing degree.

### **House Bill 779**

#### **(Cross-filed with Senate Bill 816)**

#### **Maryland Higher Education Outreach and College Access Pilot Program**

USM Position: Monitored

Final Status: Passed

House Bill 779 establishes the Maryland Higher Education Outreach and College Access Pilot Program targeting low-income Maryland high school graduates. The bill calls for a two-year pilot grant program for eligible nonprofits that meet specified requirements to be administered by the Maryland Higher Education Commission (MHEC). By December 1, 2017, and December 1, 2018, MHEC must report to the General Assembly on specified information about the program. To be eligible for participation in the program, a nonprofit organization must be located in the State, have a contract or memorandum of understanding with a local school system or an institution of higher education (or must establish one if one does not exist), and demonstrate an equal match for funds requested.

**House Bill 799****Higher Education - Veterans and Dependents Nonresident Tuition - Compliance with Federal Law**

USM Position: Supported

Final Status: Passed

The federal Veterans Access, Choice and Accountability Act of 2014 (Choice Act), beginning July 1, 2015, requires that public institutions of higher education provide in-state tuition to veterans and dependents to remain eligible to receive GI Bill education payments.

House Bill 799 requires each public institution of higher education to comply with federal law exempting specified “covered individuals” such as veterans of the U.S. Armed Forces, their spouses and children, from paying out-of-state tuition at a public institution of higher education.

Individuals remain eligible if they initially meet these requirements and remain continuously enrolled even if they are outside of the three-year window or enroll in multiple programs.

**House Bill 863****Criminal Law - Hazing**

USM Position: Supported

Final Status: Unfavorable

The bill would expand the crime of hazing by prohibiting a person from recklessly or intentionally doing an act or creating a situation that subjects a student to the risk of mental or emotional distress for the purpose of an initiation into a student organization of a school, college, or university.

The bill would also increase the maximum penalty for hazing from imprisonment for up to six months and/or a \$500 maximum fine to imprisonment for up to nine months and/or a \$2,500 maximum fine.

Similar to the position on House Bill 448, the USM believes that taking a tougher stance on hazing could significantly deter its occurrence on college campuses across the State of Maryland.

**House Bill 875****(Cross-filed with Senate Bill 665)****Sales and Use Tax - Tax-Free Periods - University and College Textbooks**

USM Position: Supported

Final Status: Unfavorable

House Bill 875 would have created a tax-free period for the purchase of textbooks. In addition to easing the cost and expense of buying educational textbooks these bills recognized what the National Association of College Stores found in a fall 2013 survey – that 76.2 percent of students acquire their materials within two weeks of the start the semester.



The US Government Accountability Office also found that student organizations they interviewed said they had sufficient information and time to comparison shop for their course materials before each academic term.

Both bills had the potential to extend savings to USM students.

#### **House Bill 897**

##### **Public Health - Synthetic Infill Turf Fields - Informational Signs**

USM Position: Monitored

Final Status: Held in Committee

House Bill 897 requires the owner or operator of a facility with a synthetic infill turf field to post a sign – in a conspicuous location and visible to users of the field – stating specified safety recommendations of the Department of Health and Mental Hygiene (DHMH).

Current law does not require the posting of any safety recommendations specific to synthetic infill turf fields. Instead, local jurisdictions in Maryland have already established expressed health and safety guidelines for applicants requesting usage of artificial turf fields. The USM raised concerns about the recommended language because it was not vetted or approved at this time by DHMH.

#### **House Bill 934**

##### **(Cross-filed with Senate Bill 210)**

##### **Educational Institutions - Personal Electronic Account - Privacy Protection**

USM Position: Supported with Amendments

Final Status: Passed

Social media privacy is an issue that the USM would normally be supportive of in the right context. However, House Bill 934 and Senate Bill 210 generally prohibit an educational institution from requiring a student or applicant to grant access to a personal electronic account. The bill also prohibits sanctioning a student if they refuse to comply with any of those actions. Finally, the bill authorizes an individual who is the subject of a violation to bring a civil action and to recover up to \$1,000 in damages plus reasonable attorney's fees and court costs.

In April 2013, the General Assembly instructed the Board of Regents to establish a policy limiting the monitoring of students' social media activities. In response, the Regents approved a policy that recognized the importance of privacy in a student's personal activities involving the use of social media.

The University System of Maryland was concerned that the bills, as originally written, would prohibit the ability of instructors to use different forms of social media to teach various classes both on our college campuses and online. Increasingly, USM institutions are using social media as part of instruction in and for other purposes to mentor students. Furthermore, the original bill diminished the ability of universities to investigate allegations of student

misconduct violating university policies, many of which respond to federal and state laws and regulations applicable to the university. These issues are not within police jurisdiction, but are legitimate academic and behavioral concerns such as sexual misconduct and academic integrity. Institutions need the ability to access private electronic accounts for investigations into allegations of violations of institutional policies, regulations, or state or federal law.

The USM sought amendments that would remediate these concerns as well as allow the Board of Regents to adopt policies that maintain obligations under federal or state law or to conduct health and safety investigations and assessments.

#### **House Bill 941**

**(Cross-filed with Senate Bill 773)**

#### **Task Force to Study Exemptions from Higher Education Ethics Requirements and Procurement Rules to Facilitate Technology Transfer**

USM Position: Supported

Final Status: Passed

House Bill 941 and Senate Bill 773 establish the Task Force to Study Exemptions from Higher Education Ethics Requirements and Procurement Rules to Facilitate Technology Transfer. In March 2014, the President of the Senate and the Speaker of the House of Delegates established and appointed the Maryland Economic Development and Business Climate Commission (MEDBCC) to focus on the state's economic development structure and incentive programs in order to make recommendations to the Presiding Officers.

One of the recommendations by the Commission was to establish a task force to examine the appropriateness of existing conflict of interest laws, procurement rules, and intellectual property policies that inhibit technology transfer. These bills require a review of the effect of existing state ethics requirements and procurement rules on technology transfer at universities, including the participation of faculty in economic development activities, the purchase of research equipment and supplies, and the hiring of research personnel. These bills also require that the Task Force examine the changes necessary to implement the new business model for the University of Maryland University College as approved by the USM Board of Regents.

#### **House Bill 1014**

#### **Higher Education – Sexual Assault Disciplinary Proceedings – Presence of Attorney or Nonattorney Advocate**

USM Position: Opposed

Final Status: Unfavorable

House Bill 1014 would have allowed students to be represented by licensed attorneys or certain non-attorney advocates in disciplinary proceedings relating to sexual assault. In Title IX cases, all USM campuses already permit the complainant and the respondent to have an advisor present during the proceedings.

**House Bill 1084****Business and Economic Development - Maryland Design Excellence Commission**

USM Position: Opposed

Final Status: Unfavorable

House Bill 1084 would have created the Maryland Design Excellence Commission to develop comprehensive design policy for the State that addresses design in all of its forms and processes; foster innovation, accessibility, and sustainability in the design and manufacture of new technologies for the built and virtual environments; and ensure that the built and virtual environments are readily accessible and usable by all residents of the State.

The bill placed an unfunded mandate upon the Maryland Association of Community Colleges (MACC) and USM as staff for the commission.

**House Bill 1136****Senate Bill 843****Higher Education - Military Dependents - In-State Tuition**

USM Position: Supported with Amendment

Final Status: Held in Committee

House Bill 1136 would exempt the spouse or a financially dependent child of an active-duty or retired member of the U.S. Armed Forces from paying nonresident tuition at a public institution of higher education in Maryland – if the active-duty or retired member was stationed in Maryland at any time and the dependent attended a public or private school in the state at any time during the four years immediately before enrolling in a public institution of higher education in the State.

Senate Bill 843, as amended, would establish the Return to Maryland pilot program which would encourage and assist eligible students who once lived in Maryland to return to the state and attend a constituent institution of the USM. The bill allows that eligible students are exempt from paying the non-resident tuition rate. Furthermore, the bill limits the program to 100 students without a methodology to allocate those slots.

**House Bill 1198****(Cross-filed with Senate Bill 882)****Baltimore City Civilian Review Board**

USM Position: Supported with Amendment

Final Status: Passed

These bills alter the Baltimore City Civilian Review Board (CRB) to increase the number of law enforcement units subject to review of the board including *“the police force of the University System of Maryland”* and expand the definition of the terms “abusive language” and “harassment.”

The University System of Maryland submitted a letter to the Chairman and members of the committee requesting that the committee strike the “*police force of University System of Maryland*” from the legislation due to several concerns.

These bills would have imposed oversight by a board empowered by a unit of local government on a state agency. This oversight could undermine the authority of the state to oversee and regulate entities that are part of the Executive Branch of government. Additionally, given the fact that each of the individual institution’s police departments has limited jurisdiction to service their own campus community (in a limited geographic area), the USM believes it is unreasonable to group USM police units with other law enforcement departments that must operate in a city-wide environment. Law enforcement officers of the USM are state employees not under the authority of the city police commissioner under the purview of this review board.

The committees agreed and the USM was amended out of the bill.

#### **House Bill 1248**

##### **Medical Schools - Use of Animals in Medical Training – Prohibited**

USM Position: Opposed

Final Status: Held in Committee

House Bill 1248 would have prohibited a medical school from using a live or dead animal in the medical education or training of students if certain alternate methods are used by other medical schools in the state. This could have prevented medical students at University of Maryland School of Medicine from obtaining federally required training and certification when they participate in laboratory animal research. All scientists, their staff, as well as students, must receive training which is primarily done with live or dead laboratory animals prior to participating in animal research.

#### **Senate Bill 19**

##### **University System of Maryland - Chancellor – Appointment**

USM Position: Opposed

Final Status: Held in Committee

Senate Bill 19 would require the appointment of the Chancellor of the University System of Maryland (USM) to be subject to the advice and consent of the General Assembly.

The USM asserted that searching for and recruiting a system head is hard enough. By making the appointment subject to the approval of the Maryland General Assembly, as Senate Bill 19 proposed to do, qualified candidates would simply decline participation based on potential timing gaps, political insecurity, or privacy concerns thereby severely limiting the pool of potential applicants.

The Education Article vests the governing authority of the University System of Maryland in a Board of Regents, as appointed by the Governor and confirmed by the Senate. The Board of Regents is responsible for overseeing the operations of USM, setting tuition and fees, and

appointing the Chancellor, who serves as the chief executive officer of the system and the chief of staff to the Board of Regents.

The USM stressed the importance of maintaining the current process by which a chancellor is appointed to the USM.

### **Senate Bill 370**

#### **Unmanned Aircraft Systems Research, Development, Regulation, and Privacy Act of 2015**

USM Position: Supported

Final Status: Passed

Senate Bill 370 establishes that only the state may enact a law or take any other action to prohibit, restrict, or regulate the testing or operation of “unmanned aircraft systems” in the state. The bill preempts the authority of a county or municipality to prohibit, restrict, or regulate the testing or operation of unmanned aircraft systems and supersedes any existing law or ordinance of a county or municipality that does so, but it does not affect federal preemption of state law.

Local governments are encouraged to work with specified federal and local law enforcement in determining how to enforce federal regulations and general laws related to unmanned aircraft systems.

The Department of Business and Economic Development (DBED), in consultation with other specified entities, must report to the General Assembly by December 31, 2015, on specified benefits, policies, and guidelines related to unmanned aircraft systems. DBED, in consultation with the University of Maryland, College Park in its role as a member of the Mid-Atlantic Aviation Partnership; the Maryland Department of Transportation (MDOT), including the Maryland Aviation Administration must separately report on similar specified findings on any proposed federal regulations or rulemakings related to the regulation of the operation of small commercial unmanned aircraft.

### **Senate Bill 578**

#### **Higher Education - Sexual Assaults - Mandatory Reporting**

USM Position: Opposed

Final Status: Unfavorable

Senate Bill 578 would have required the sexual assault policy of institutions of higher education to include compliance with mandatory reporting of sexual assaults by a faculty member, administrator, or a full-time staff member within 24 hours to law enforcement.

The University System of Maryland (USM) Policy on Sexual Misconduct addresses mandatory reporting requirements for sexual assault and other forms of sexual misconduct on campus. The USM Policy was drafted to comply with federal law (Title IX) and federal guidance. Under the USM Policy and in accordance to Title IX, employees of USM institutions are to report any complaints or allegations of sexual misconduct to the institution's Title IX

Coordinator, who is to oversee the institution's response to the complaint, including coordinating any reports to law enforcement when necessary or desired by a complainant.

Moreover, USM institutions are acutely aware that some survivors of sexual violence will not come forward if they believe they will be forced into a legal process in which they do not want to take part.

#### **Senate Bill 810**

#### **Higher Education - Programs in Dental Hygiene and Medical Laboratory Technology - Transfer of Students and Senatorial and Delegate Scholarships**

USM Position: Oppose

Final Status: Unfavorable

Senate Bill 810 would have required the Maryland Higher Education Commission (MHEC) to develop and implement a transfer agreement for students who earn an associate of science degree in dental hygiene or medical laboratory technology at an institution of higher education that has received a certificate of approval to operate in the state. At least 60 credits of the credits earned would be automatically transferable to a USM institution for credit towards a bachelor's degree.

Senate Bill 810 would have applied the 60 transferable credits to any bachelor's degree program, whether it was dental hygiene or engineering. While certain mathematics, science and general education courses may be considered in transfer, the professional courses in medical technology or dental hygiene would not be applicable to most majors. Therefore, a meaningful transfer agreement whereby at least 60 credits would transfer would be difficult, if not impossible, to develop.