

Written Support**House Ways and Means Committee*****SB 1021 – Community Colleges – Baccalaureate Degrees – Prohibition*****March 29, 2018**

On behalf of Maryland's independent colleges and universities and the 64,000 students they serve, thank you for the opportunity to provide written testimony in support of ***SB 1021 – Community Colleges – Baccalaureate Degrees – Prohibition***. This legislation would prohibit Maryland community colleges from offering baccalaureate degrees and would sunset in two years. In November 2017, the Maryland Higher Education Commission (MHEC) received a proposal from the Maryland community college presidents for approval to offer “applied baccalaureate” degrees in select subject areas. At the December 2017 Commission meeting, the Commission voted to form a workgroup to consider the proposal. This decision was made without public disclosure or input, since the agenda materials were not shared publicly until after the Commission meeting.

Current Law and Structure of Higher Education:

Education Article §10-210 states that Maryland community colleges shall “provide lower level undergraduate courses, in accordance with transfer guidelines set by the Maryland Higher Education Commission, for students who aspire to continue their education at a senior institution.” Over the past decade, several bills have been introduced in the Maryland General Assembly to expand the authority of Maryland community colleges to offer bachelor's degrees. All of these bills have received unfavorable reports. A February 26, 2015 Letter of Advice from the Office of Counsel to the Maryland General Assembly affirmed that Maryland community colleges have been granted the authority by the Maryland General Assembly to offer associate's degrees and have not been granted the authority to offer baccalaureate degrees. Under COMAR, MHEC has the authority to approve a bachelor's degree at a Maryland community college by re-designating the college as a four-year degree granting institution in the State. This re-designation would have profound implications for Maryland's higher education system and students.

Implications for Maryland's Higher Education System:

Maryland needs a diverse array of colleges and universities to provide access, choice, and opportunities for students; address workforce needs; and drive economic development through research and discovery. Maryland's community colleges are the State's open enrollment institutions. Redefining the core role and mission of the State's community colleges would

jeopardize these important missions and create inefficiencies. It would fundamentally change the State's carefully structured higher education funding formulas, resulting in a redistribution of State aid to all community colleges. In addition, it would lead to an unhealthy competition for students, faculty, academic programs, capital grants, and other resources. Establishing bachelor's degree programs at community colleges would be expensive to implement and result in higher costs per degree for all students. In short, it would do a disservice to Maryland community colleges, students, and taxpayers.

There are a number of factors and implications the State should consider in the decision about whether community colleges should be allowed to offer baccalaureate degrees. In the State's current regulatory framework, associate's degree granting institutions that wish to become baccalaureate degree granting institutions must go through an institutional approval process (not just a program approval process). This would require that community colleges meet certain COMAR requirements that the State's four-year institutions must currently meet in areas such as faculty qualifications, library holdings, and the percentage of students taught by full-time faculty. Further, the State's community colleges would be required to seek and obtain Middle States approval to be accredited to offer bachelor's degrees.

Authorizing Maryland community colleges to offer the bachelor's degree raises additional questions about the eligibility and participation of the institutions and their students in certain State programs, such as:

- The Cade formula;
- The community college capital grants program;
- Percentage of "unmet need" covered by the State's financial aid programs;
- State contributions to retirement programs;
- Out-of-county reciprocity agreements for community colleges that do not offer the same degrees;
- Participation in the State's Part-time Grant Program;
- Mission statement approval for degree-granting institutions; and
- The County's contributions to upper-level coursework in addition to lower-level coursework.

Legal Implications:

The State has been involved in litigation with the Coalition for Equity and Excellence in Maryland Higher Education since 2006. In November 2017, Judge Catherine Blake ordered the appointment of a "special master" to develop a plan focused on creating unique, high-demand programs at the State's four Historically Black Colleges and Universities (HBCUs), with sufficient funding to support the development and implementation of these programs. Further, MHEC decisions on programs proposed by all Maryland colleges and universities must be reviewed externally by the "special master" to ensure these programs will not cause harm to the HBCUs. Allowing 16 additional in-State institutions—Maryland's community colleges—to offer new degrees that have the potential to duplicate bachelor's degree programs offered at the State's four HBCUs would further complicate these matters. These changes would impact

MHEC's program approval process, the State's agreement with the Office of Civil Rights concerning program duplication, and Judge Blake's recent order.

Maryland's Existing Processes to Address Workforce Needs:

State law and regulations provide a process whereby a Board of Trustees at a Maryland community college may submit an RFP to MHEC for a senior higher education institution to offer a baccalaureate degree program that is not currently offered in the region. All senior public and private higher education institutions in the State have the opportunity to respond to any proposals to offer the degrees. If the community college does not receive a suitable response, it may solicit proposals from out-of-state senior higher education institutions and for-profit institutions. This process is outlined in detail in COMAR 13B.02.01.22. At no time did a Maryland community college circulate an RFP through MHEC for a bachelor's degree program in any of the disciplines identified in their November 2017 proposal to the Commission.

Further, there is an existing pathway to the bachelor's degree for Maryland community college students who complete the Associate of Applied Science (A.A.S.), which are degrees that focus on vocational-technical occupational skills and are intended for students seeking immediate employment opportunities. A.A.S. program completers may choose to pursue a Bachelor of Professional Studies (B.P.S.) or a Bachelor of Technical Studies (B.T.S.) in the designated area of study at a Maryland four-year institution. This process, as outlined in COMAR 13B.02.03.24, requires MHEC to "provide information on technical or professional fields that have graduated significant numbers of students and for which one or more community colleges request an articulated bachelor of technical or bachelor of professional studies degree." Further, there is an expedited program approval process for the articulation of the A.A.S. to the B.T.S. or the B.P.S. At no time recently have any Maryland four-year institutions been contacted by MHEC about the need for additional B.P.S. or B.T.S. degrees for Maryland community college graduates.

MICUA's Commitment to Serving Community College Transfer Students:

Approximately one in ten new undergraduate students entering a MICUA institution each year is a transfer student from a Maryland community college. Collectively, MICUA's 13 member institutions have over 150 articulation agreements with Maryland community colleges and operate in over 180 instructional locations across the State. These articulation agreements are the result of years of intersegmental collaboration and are in place in a wide range of disciplines including business, nursing, teacher education, STEM fields, and the liberal arts.

To increase accessibility, many bachelor's degree programs have been offered at one of the State's regional higher education centers, on community college campuses, or online. Many MICUA institutions offer guaranteed admission programs, dual admission programs, transfer grants and scholarships, tuition discounts, and other incentives and supports for Maryland community college transfer students. MICUA institutions value their partnerships with Maryland community colleges and have invested considerable effort and resources in meeting the needs of transfer students.

MICUA has looked closely at the enrollment and pipeline data in the areas identified by the community colleges and believes that in many cases, comparable four-year pathways and

programs already exist or could be developed with existing resources. In at least two cases, the State's four-year institutions discontinued similar bachelor's degree programs due to low student enrollment. Rather than spend time exploring the parameters of an applied baccalaureate degree in Maryland, program administrators, faculty, and industry professionals in the disciplines that have been identified should explore the potential of new 2+2 programs, 3+1 programs, articulation agreements, and other transfer pathways to meet these students' immediate needs.

Experiences in Other States:

To understand more about the impact of community college baccalaureate degrees, MICUA polled other independent college and university state associations about their experiences with community colleges receiving authority to grant these degrees. The experience of Florida is most notable nationally, starting as a small pilot effort in applied disciplines at a limited number of institutions. Today, at least 20 Florida community colleges have become "state colleges," with over 180 bachelor's degree program offerings. These institutions are currently resisting a Florida Senate proposal to limit bachelor's degree programs for their sector. In Washington State, at least 23 of the state's 34 community and technical colleges are no longer considered community colleges and are approved and accredited as baccalaureate institutions.

In addition, a 2017 interim evaluation report about a California pilot program, which allowed 15 community college districts to offer bachelor's degrees, reported that while students and employers were generally positive about the programs, the accelerated degree approval process resulted in limited review and consultation; certain degree programs being approved without strong evidence of need for a bachelor's degree in the field; and concerns about the discontinuation of some associate's degree programs once institutions had approval for the bachelor's degree.¹ Further, the legislative analyst reported that the initial student cohorts enrolling in the California community college pilot bachelor's degree programs were demographically similar to community college students who transfer to the State's four-year colleges and universities, which raises the question of whether these programs are truly expanding access or merely shifting students from one segment to another.

Summary:

In closing, Maryland's 16 community colleges serve a critical role in the State's higher education system. Abandoning their core mission and allowing mission creep is not in the best interest of the State, students, employers, or the taxpayers of Maryland. Expanding the mission of the State's community colleges would reduce their commitment to workforce training, certificate programs, and associate's degree programs at the same time Maryland is focusing on improving its postsecondary attainment rates. MICUA believes that the General Assembly should take an active role in upholding the current role and mission of the State's community colleges.

The needs of Maryland community college students who want to transfer to a four-year public or independent institution can be met within the current capacity of Maryland's higher education system. If there are unmet needs in specific academic disciplines among Maryland community

¹ Taylor, M. (2017). *California Community Colleges: Interim Evaluation of Baccalaureate Degree Pilot Program*. Sacramento, CA: Legislative Analyst's Office.

college students who wish to transfer, MICUA pledges to work in partnership with the community colleges and the public four-year segments of higher education in the State to address those needs.

For all of these reasons, MICUA requests a favorable Committee report for Senate Bill 1021.