

**Support with Amendments****House Appropriations Committee*****House Bill 469: Institutions of Postsecondary Education – Disorderly School Closures*****Jennifer V. Frank, Ph.D., Vice President**[jfrank@micua.org](mailto:jfrank@micua.org)**February 18, 2020**

On behalf of Maryland's independent colleges and universities and the 65,600 students we serve, thank you for the opportunity to submit written testimony for ***House Bill 469: Institutions of Postsecondary Education – Disorderly School Closures***. This bill requires postsecondary institutions and private career schools to meet certain requirements regarding school and program closures, including close-out plans, teach-out agreements, and the transfer of financial and academic records. The bill establishes additional protections and remedies for students who are affected by the disorderly closure of an institution or program.

MICUA appreciates the General Assembly's past and current efforts to protect students who are pursuing postsecondary education in Maryland. We certainly understand the concerns with disorderly closures and the devastating impact they have on the financial and educational aspirations of students. Unfortunately, disorderly school closures seem to have become more common in recent years, leaving students saddled with debt and limited options.

MICUA member institutions are required to follow teach-out plans and closure processes as established and required by our regional accreditor, the Middle States Commission on Higher Education. We are offering the attached amendments, which are identical to those offered by the Maryland Association of Community Colleges and shared for the cross-file of this bill in the Senate. These amendments address concerns related to program-level discontinuations and the transfer of student records in the specific case of institutional mergers. Again, we appreciate the intent of House Bill 469 and the protections it affords to Maryland students.

11-210

(3) “DISORDERLY CLOSURE” MEANS THE CESSATION OF EDUCATIONAL INSTRUCTION, AS DETERMINED BY THE COMMISSION, OF A PROGRAM IN WHICH:

~~(I) A MARYLAND STUDENT IS UNABLE TO COMPLETE THE PROGRAM PRIOR TO THE CESSATION OF EDUCATIONAL INSTRUCTION; AND~~

(I) THE INSTITUTION DID NOT PROVIDE A SATISFACTORY AMOUNT OF TIME, AS DETERMINED BY THE COMMISSION, FOR A MARYLAND STUDENT TO COMPLETE THE PROGRAM;

(II) THE INSTITUTION DID NOT TRANSITION A MARYLAND STUDENT INTO ANOTHER PROGRAM AT THE INSTITUTION; OR

(III) THE INSTITUTION DID NOT ENTER INTO AT LEAST ONE SCHOOL-TO-SCHOOL TEACH-OUT AGREEMENT.

11-210

(C) (1) (I) IN ADDITION TO ANY OTHER REQUIREMENT OF THIS TITLE, **ALL INSTITUTIONS** IDENTIFIED IN SUBSECTION (B) OF THIS SECTION **THAT DO NOT HOLD REGIONAL ACCREDITATION** SHALL PROVIDE TO THE COMMISSION A CLOSE-OUT PLAN.

1. **ALL REGIONALLY ACCREDITED INSTITUTIONS IDENTIFIED IN SUBSECTION (B) OF THIS SECTION SHALL COMPLY WITH THE CLOSURE AND TEACH-OUT AGREEMENTS OF THEIR REGIONAL ACCREDITING BODY.**

11-401

(a) (1) Before any institution of postsecondary education operating in this State discontinues ACADEMIC OR ADMINISTRATIVE operation, [its chief administrative officer] THE INSTITUTION shall file with the Commission the original or legible copies of all essential records of the academic achievements of all former students of the institution.

**(2) IN THE CASE OF AN INSTITUTIONAL CLOSURE THAT RESULTS IN A MERGER, THE COMMISSION MAY APPROVE A PLAN TO FILE THE ESSENTIAL RECORDS OF ALL FORMER STUDENTS OF THE INSTITUTION WITH THE SUCCESSOR INSTITUTION.**