



Office of Government Relations
2020 End of Session Report
March 18, 2020

The Maryland General Assembly completed its work for the 2020 legislative session and adjourned Sine Die on March 18. This marks the end of the 2020 Maryland General Assembly session. A total of 3,232 bills were introduced this session and the University System of Maryland (USM) Office of Government Relations, in conjunction with the State Relations Council representatives from each USM institution, tracked, offered testimony or sought amendments on more than 150 individual bills that would have had varying impacts on the USM and our institutions.

Because of the COVID-19 emergency, the presiding officers of the Maryland General Assembly decided to end this year's legislative session almost three weeks early, the first time the session has ended early since the Civil War. The truncated session caused leadership to prioritize bills and some legislation did not make it to final passage. Thankfully, most of the bills the USM was working to pass were given final approval, some on the last day of session. There is a possibility the legislature will reconvene in late May to work on some of the unresolved issues.

One of the main responsibilities of the Chancellor's Office is to prepare and advance the annual operating and capital budgets for the 12 institutions and three regional higher education centers that comprise the USM. At the same time, the USM succeeded in resisting a number of bills that would have imposed onerous new regulations or financially curtailed USM programs.

These efforts do not happen in a silo. The USM Office of Government Relations, State Relations Council and staff from the System Office and campuses collaborated closely this year to share information and updates. The Council of University System Staff, Council of University System Faculty, and USM Student Council aided these efforts greatly by participating in a joint advocacy day in Annapolis. We look forward to reviving this effort next year and reporting the results of 2020 in conference calls for these very important advisory councils.

It's also important to acknowledge and thank the dedicated professional staff of the Department of Legislative Services (DLS) and the Maryland Department of Budget and Management (DBM). These individuals provide critical analysis of the performance and function of the USM and often help translate the legislative intentions and objectives of those elected leaders to whom they report.

The End-of-Session report is a snapshot of the major issues the USM faced during the Session and their final resolution.

FISCAL YEAR 2021 OPERATING BUDGET

The Governor proposed, and the General Assembly approved, state support for the USM totaling \$1.581 billion, coming from the General Fund and the Higher Education Investment Fund. This is an increase of \$87 million - or 5.8 percent - over the FY 2020 legislative appropriation (note this does include COLA numbers noted below *).

The FY 2021 state funding provides allocations for:

- Resident Undergraduate tuition capped at 2% (\$12.5M).
- Governor's 3rd and final year of Workforce Development Funding (\$10M).
- New facilities operating, and state fringe benefit inflationary increases (\$25M).
- USM Cost of Living Adjustment Funding FY 2020 1% Annualization and FY 2021 January 2% * (\$37M).
- Other institutional specific increases.

The state funding level enables the USM to hold the resident undergraduate tuition rate to a modest 2 percent increase. As part of the budget process, the Department of Legislative Services (DLS) made budget reduction recommendations including a \$10 million across-the-board reduction, a \$5.7 million reduction to the Workforce Development Initiative, and a \$500,000 reduction to the USM-Southern Maryland budget. Ultimately, the legislature rejected most of the reduction recommendations, but did approve a \$5 million across-the-board cut.

Restrictions to USM funding include keeping resident undergraduate tuition increases at 2% and no reductions to the Workforce Development Funding Initiative.

*USM funding estimated in DBM Personnel budget:

- Funding for the FY 2020 1% January 2020 COLA annualization (\$18.8M) and a planned 2% January 2021 COLA (\$18.8M).
- A \$10 million statewide health reduction that will impact the USM.

FY 2021 CAPITAL CONSTRUCTION PROJECTS

The General Assembly approved capital funds totaling \$242 million for critical projects across the USM. Funding is a combination of General Obligation (GO) Bonds, USM Academic Revenue Bonds (ARBs), and State Bond Proceeds. The projects included in the approved capital budget bill (SB191) and related Academic Revenue Bond Bill are listed below.

UNIVERSITY OF MARYLAND, BALTIMORE

Central Electric Substation and Electrical Infrastructure Upgrades. Provide \$9.944M to continue construction of this phased, multi-year project.

School of Social Work Renovation. The capital budget bill preauthorizes \$5M in F2022 to begin planning for this project and \$50M in FY2023 for construction.

UNIVERSITY OF MARYLAND, COLLEGE PARK

Chemistry Building Wing 1 Replacement. Provide \$5M to continue design and begin construction. The bill preauthorizes another \$45.19M in FY2022 and \$38.146 in FY2023 for construction of this project.

School of Public Policy Building. Provide \$5M (Bond Proceeds) to continue construction. Another \$2.5M was preauthorized for FY2022.

Campus-wide Building and Infrastructure Improvements. Provide \$10M (includes \$5M ARBs) to continue work on this phased, multi-year repair and renewal program.

Maryland Fire and Rescue Institute Western Maryland Regional Training Facility. While not included in the State budget bill, the Governor's CIP includes authorization to expend \$8.615M of USM funding to complete this project.

Basketball Performance Center. Provide \$5M (Bond Proceeds) toward the construction of this project.

BOWIE STATE UNIVERSITY

Communication Arts and Humanities Building. Provide \$6.1M to complete design of this project. The bill preauthorizes \$60M in FY2022 and another \$60M in FY2023 for construction.

Pedestrian and Vehicular Improvements. Provide \$150K toward construction of this project related to the MARC line station.

TOWSON UNIVERSITY

New College of Health Professions Building. Provide \$6.437M to complete design of this project.

Athletic Field Improvements. Provide \$1M for design and construction.

UNIVERSITY OF MARYLAND EASTERN SHORE

School of Pharmacy and Health Professions. Provide \$57.287M for construction of this project (includes \$31M in Bond Proceeds). Preauthorize \$17.716M for FY2022 to complete construction.

Flood Mitigation Project. Authorize \$10M in ARB funding for this project.

FROSTBURG STATE UNIVERSITY

Education Professions and Health Sciences Center. Provide \$35.069M for construction of this project (includes \$5M in ARBs). Preauthorize \$43.665M in FY2022 to complete construction.

COPPIN STATE UNIVERSITY

Renovate Percy Julian Science for the College of Business. Reduce the amount in the Governor's CIP by \$10M and preauthorize those funds in FY2022. FY2021 amount is \$7.513M. FY2022 amount is \$30.771M.

New Public Safety Building. Provide \$450K to design of a new facility associated with the campus.

UNIVERSITY OF MARYLAND BALTIMORE COUNTY

Utility Upgrades and Site Improvements. Provide \$6.041M toward this phased, multi-year project. Preauthorize \$6.834M in FY2022 to complete it.

Sherman Hall Renovation. Provide \$1M for façade repairs. Preauthorize \$6M in FY2022 to begin design of the comprehensive renovation of the facility.

UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE

Chesapeake Analytics Collaborative Building (at CBL). Provide \$1.448M to begin design of this project.

UNIVERSITY SYSTEM OF MARYLAND OFFICE

Capital Facilities Renewal. Provide \$12M in ARBs toward this multi-year renewal program that benefits all institutions. The State CIP authorizes another \$16.385M in USM funds toward the same program.

Academic and Research Center at USM Southern Maryland. Provide \$62.202M to continue construction of this project. \$31M of this total will be from Bond Proceeds. Preauthorize \$3.229M in FY2022 to complete the project.

FINAL STATUS OF 2020 LEGISLATION

Senate Bill 588 – House Bill 1122

State Government - Protection of Personally Identifiable Information – Public Institutions of Higher Education/University System of Maryland

USM Position: Support with Amendment

Final Status: Passed with USM Amendments

This bill expands security protocols that govern the collection, processing, sharing, and disposal of personally identifiable information (PII) by the University System of Maryland (USM). The

USM institutions currently do not have a comprehensive privacy program. This bill establishes the requirement for the development and implementation of privacy programs system-wide. These programs give our community members and the public the ability to have greater transparency around the data we collect and give individuals greater control over the data we hold about them. The bill also requires that we provide clear privacy policies and notices so that community members know about the programs and how to access them.

The USM takes privacy and security of the information we hold seriously. Last year, the USM convened a multi-stakeholder group of legal and technical experts to work through the best ways to address privacy and security in our communities. House Bill 1122 is the result of several months of discussion by many experts and conforms to the direction other states and countries are taking related to privacy. The features in House Bill 1122 to enhance privacy across the higher education community include a broad definition of Personally Identifiable Information that should capture all the different forms of information that could relate to an individual.

In addition, the bill forms a condition that institutions create a privacy program that grants individuals several rights including the right to request: a listing of the information held about an individual, the correction of information that the individual feels is inaccurate, and the deletion of information about the individual that the university may have no reason to hold.

The bill also requires institutions have an information security and risk management program and that the program be periodically reviewed by a third party and that each university publish a privacy notice, on the university's website, that informs individuals of their rights.

To help all campuses manage the costs of the upgrades required in the bill, the bill was amended to allow an implementation date of October 2024.

House Bill 1260 – Senate Bill 1043

Historically Black Colleges and Universities – Funding

USM Position: USM HBCUs testified in Support

Final Status: Passed

This bill, introduced by Speaker of the House Adrienne Jones, provides additional funding for Maryland's Historically Black Colleges and Universities in the amount of \$577 million over the next ten years. The legislation is intended to settle the 13-year-old lawsuit between the state and a coalition of graduates from the state's HBCUs.

The funds are required to be supplemental to, and may not supplant, funds already appropriated to public higher education institutions. The funds may be used for scholarships and financial aid, faculty recruitment and development, expanding and improving existing academic programs, and academic support among other uses.

The bill also creates a new unit within the Maryland Higher Education Commission (MHEC) for program evaluation of new programs and substantial modifications to programs. This new unit will have at least 10 staff members and the bill requires funding in the state budget to enable MHEC to staff this new unit.

Additionally, the bill requires MHEC, in consultation with the University System of Maryland and other public institutions, to study and report on the Commission's current policies and practices for the purpose of: (1) evaluating, streamlining, and improving, and making recommendations on the Commission's policies and practices with respect to academic program review; (2) enhancing the economic competitiveness of the State by ensuring the responsiveness of institutions of higher education to market demand; and (3) effectively supporting the State's workforce development requirements.

Senate Bill 465 – House Bill 135

Economic Development – Maryland E-Nnovation Initiative Program Extension and Alterations

USM Position: Support

Final Status: Passed

The Maryland E-Nnovation Initiative Program was created to spur basic and applied research in scientific and technical fields at Maryland colleges and universities by matching private donations with grants from the Maryland Department of Commerce to create endowed chairs in select fields. The purpose and intent of the program is to retain and recruit top university researchers and encourage collaboration among Maryland research universities, federal agencies and the private sector (especially entrepreneurial companies).

The combination of top talent and collaboration enhances the economic competitiveness of the State as it builds on existing clusters of research and innovation. The program gives Maryland a tremendous advantage in the intense global competition for the best minds in the world, and provides for opportunities, jobs and industries created by their work.

The program also has proven to be tremendously successful in leveraging the impact of State funds through matching funds from private donors to universities. This success has been statewide and has included campuses as diverse as Washington College, University of Maryland Baltimore, Johns Hopkins University, University of Maryland Eastern Shore, the College of Southern Maryland and the University of Maryland. The program has been fully subscribed each year of its existence.

The original legislation had a five-year sunset, and this bill extends the program for another five years, and maintains the current \$8.5 million. The bill also makes a technical change to the language regarding the work requirement outside of campus to 20% of the year from one day a week.

House Bill 325 – Senate Bill 961

Sexual Harassment Prevention Training - Designated Coordinator – USM

USM Position: Support with Amendment

Final Status: Passed with USM Amendment

This bill would repeal the requirement the USM designate Title IX coordinators responsible for sexual harassment prevention training. The USM supports this flexibility as on some campuses in some cases the Title IX Coordinator is not the most appropriate staff to handle this prevention training. However, the legislation inadvertently removed the reference to a “unit” within the USM. An amendment was requested to clarify that a “unit” was a constituent institution.

Senate Bill 553 – House Bill 1205

Universities at Shady Grove Regional Higher Education Center

USM Position: Support

Final Status: Passed

This bill establishes the Universities at Shady Grove (USG) in Maryland statute because while USG has existed at a regional higher education center for twenty years, it has never been formally recognized in statute. The bill officially establishes USG as a regional higher education center to provide students access to cutting edge, and high-demand upper division undergraduate and graduate level academic programs, and postgraduate certificates and credentials.

Senate Bill 1022

Board of Regents of the USM - Tuition Exemption - Student Members

USM Position: Support

Final Status: Passed

Senate Bill 1022 authorizes the Board of Regents (BOR) of the University System of Maryland (USM) to grant a tuition exemption to a student member. The tuition exemption may not exceed the amount of the tuition incurred by the student member during the second year of a two-year term.

The intent of Senate Bill 1022 is to acknowledge the sacrifices made by USM students who volunteer for service as a regent. Tuition relief will help ensure that students who want to serve are not dissuaded by the large commitment that makes working and accepting other opportunities difficult if not impossible. This exemption will provide relief as well as incentive for students interested in this time-consuming but substantive and important role.

House Bill 187 – Senate Bill 329

Public Institutions of Higher Education – Outbreak Response Plan

USM Position: Support with Amendment

Final Status: Passed with USM Amendment

House Bill 187 requires each public institution of higher education to submit an outbreak response plan to the Maryland Department of Health (MDH) annually beginning in 2021.

Current USM Board of Regents policy states: “USM institutions are required to develop and maintain a campus emergency management program to prepare its campus community in the event of an emergency or incident, mitigate measures to reduce loss of life and property, respond to and recover from emergencies, and maintain campus mission essential functions. Campus emergency management and safety and security programs should focus on the protection of individuals, but must also address facilities, information technology security and infrastructure, business functions, and academic and research continuity.”

The challenge of House Bill 187 is conforming the provisions of the bill to campuses without residential housing. Those campuses are University of Maryland Global Campus, University of Baltimore, and University of Maryland Center for Environmental Science. These campuses also do not have a health center, where it is assumed reporting and tracking of a "life-threatening contagious disease or similar health emergency would take place." We requested an exemption of non-residential campuses and the bill was amended to include that exemption.

House Bill 318 – Senate Bill 667

University System of Maryland - Textbooks - Availability of Free Digital Materials

USM Position: Support with Amendments

Final Status: Passed with USM Amendments

This bill requires each University System of Maryland (USM) institution to develop a method to “clearly and conspicuously” show free online course digital materials – including openly licensed educational resources – by July. The USM supports decreased textbook costs for students and increased transparency around instructional materials costs for students. House Bill 318, which requires USM institutions to designate zero-cost and low-cost instructional materials classes in the online course catalog is not the appropriate place to ensure this transparency for students. The bill duplicates existing policy and practice creating unnecessary administrative overhead that can be put to better use toward scaling and sustaining open educational resource (OER) adoptions. The USM is a national leader in the OER movement. In collaboration with our colleagues in Maryland’s community college and private, non-profit, sector, the USM’s Kirwan Center for Academic Innovation has been leading the statewide Maryland Open Source Textbook (M.O.S.T.) initiative since 2013 as a means to increase access, affordability, and achievement for our students.

Since then, M.O.S.T. has supported the adoption of OER in 159 courses across 24 Maryland 2-year and 4-year higher education institutions, saving over 65,000 students more \$10.4M cumulatively on textbook costs. At the same time, the USM’s University of Maryland Global Campus (UMGC) has moved entirely to zero-cost instructional materials, saving their students over \$20M annually.

Moreover, this bill does not define “free” or “low cost” and is ambivalent on the need for these materials to be fully accessible for students with disabilities, as required by federal law.

The USM requested the following amendments which were added to the bill before passage.

1. Expand to all public higher education institutions (2-year and 4-year);
2. Make transparency available in the course scheduling platform, not the course catalog;
3. Communicate the availability of both free AND LOW COST materials;
4. Eliminate “to the extent practicable” with respect to accessibility;
5. Add “to the extent practicable” with respect to use of OERs.

Senate Bill 344

University System of Maryland - Academic Facilities Bonding Authority

USM Position: Support

Final Status: Passed

Senate Bill 344 authorizes the use of \$32 million in academic facilities bonds for the purpose of financing construction, renovation, and renewal projects at University System of Maryland (USM) buildings and campuses. The bill authorizes \$20 million in academic facilities bonds for the following projects: University of Maryland, College Park Campus (Prince George’s County); Infrastructure Project; University of Maryland Eastern Shore (Somerset County): Flood Mitigation Project; Frostburg State University (Allegany County): Education and Health Sciences. Additionally, \$12 million is included for facilities renewal on buildings across the system.

House Bill 343 – Senate Bill 270

Economic Development - Maryland Technology Infrastructure Program

Senate Bill 602 – House Bill 1239

Economic Development - Maryland Technology Partnership Program

USM Position: Support with Amendments

Final Status: Did Not Pass

These bills establish the Maryland Technology Infrastructure Program, Authority, and Fund (MTIF) in the Maryland Technology Development Corporation (TEDCO). The authority’s purpose is to provide advice and counsel to TEDCO in connection with the administration of the program. MTIF must be used to cover the program’s costs; subject to available funding and on the recommendation of the authority, TEDCO must award capital and operating financial assistance from MTIF to public or private entities in the State for specified purposes.

The USM plays a major role in providing the talent and developing the new technology and innovation fueling advanced industries. Annually, USM institutions graduate more than 11,000 STEM professionals and conduct \$1.4 billion in sponsored research. More than half of the new STEM professionals that the USM produces each year remain in Maryland to pursue their promising careers and contribute to the high standard of living we all enjoy. More than 90-percent

of this research activity USM institutions conduct is tied to supporting the objectives of the many federal, installations, laboratories and research missions throughout our state.

House Bill 533 – Senate Bill 518

Council on the Fair Treatment of Student Athletes

USM Position: Oppose

Final Status: Did Not Pass

This bill establishes the Council on the Fair Treatment of Student Athletes to review and make recommendations as needed on issues related to student athletes. The council may receive information and complaints and conduct investigations. The council must advise the USM Board of Regents and the Morgan State University (MSU) Board of Regents. Beginning July 1, 2022, USM, MSU, and athletic associations, including the National Collegiate Athletic Association (NCAA), must follow specified rules regarding student athlete compensation for the use of the student's name, image, or likeness. Beginning July 1, 2022, professional representation of student athletes, and specified student athlete contracts, must meet specified standards.

The USM Board of Regents places the highest priority on the health and well-being of all its students – including those who participate in intercollegiate athletics. Over the past year the Board has worked with leadership at USM institutions to identify issues and areas for improvement, and institutions have responded with enhancements to programs related to the care and training of student-athletes.

The USM and the Board of Regents welcomes the voice of the General Assembly, in addition to student-athletes, parents, and others with interest, in identifying new areas of focus or improvement, but believe the proposed Council will undermine and diminish the work and effectiveness of USM governance mechanisms put in place to date. A recent report included several dozen recommendations which the Board has directed all USM institutions with athletics to review and adopt. Importantly, and relevant to the consideration of the proposed bill, the University of Maryland, College Park has created an independent Athletic Medical Review Board comprised of approximately a dozen medical and sports performance professionals from outside the university to review and advise on student-athlete medical protocols and health and well-being matters.

The Board of Regents has reviewed and improved its oversight of intercollegiate athletics at USM institutions, strengthening the existing workgroup of Regents that has been effective in providing sustained and focused attention on issues and concerns associated with academic achievement and progress, Title IX and equity considerations, appropriate fiscal management, and student-athlete physical and mental health matters. Through its Workgroup on Intercollegiate Athletics, the Board of Regents regularly reviews financial, academic and Title IX compliance information submitted

in accordance with Board policy. It has also investigated matters relating to academic support resources, institutional pay practices for coaches and athletic directors, and medical support arrangements. The Regents routinely consult with athletic directors and institution presidents ultimately responsible for the operations of their campuses, including athletics, to ensure that communication and lines of accountability are maintained and recognized.

This established Board of Regents Workgroup has a scope and focus which includes many of the matters proposed for the Council in the bill, and has an established and direct route for proposing policy, collecting essential information in a manner that protects student privacy concerns, communicating with institution presidents and athletic directors to initiate needed change outside of Board of Regents policy, and has a proven track record of overseeing improvement both in oversight as well as program management, such as the mechanisms in place to monitor, in near real-time, academic progress of student-athletes. The Regents also oversee other areas covered in the proposed bill through its Education Policy Committee.

Establishing a state-wide review and advisory group proposed in this legislation, distinct and outside of the University System of Maryland, such as the Council, would create a conflict between the role of the proposed Council and the responsibilities and authorities of USM Regents, Chancellor, and institution Presidents. The Board of Regents Workgroup on Intercollegiate Athletics has been effective in the review of athletics programs and student-athlete academic information, and in assessing operational activities such as student-athlete academic support and, more recently, medical support services available to student-athletes.

The requirement that the USM provide staffing for the proposed Council will require the addition of specialized staff, both at the USM Office, as well as within athletics departments. This will add considerable cost to the USM Office budget, but more importantly, to the staffs of institutions' athletic departments. This is an important concern, as USM institutions, like most athletics programs at colleges and universities across the country, are expected, by policy, to be self-supporting. This means the Board expects athletics spending to be done with athletics monies, and not place pressure on tuition levels or use funds of other activities. This fiscal mandate is difficult to achieve, and USM institutions work extremely hard to satisfy the expectation. That point made, of the five institutions in the University System of Maryland with Division 1 athletics programs, four rely heavily on a student-athletics or activities fee that is used to support athletics. Any additional cost imposed on the athletic department must be covered by additional revenue, and the only plausible source is increased student athletics or activities fees, which increase the cost of attendance for all students at that institution. None of the USM institutions have any significant amount of reserves or surplus operating revenues to fund the additional costs expected to be incurred as a result of the proposed legislation. Importantly, it will also represent additional workloads for the staff at the universities that currently support our student athletes and oversee the universities' support of student athletes.

The USM and its institutions share the values and intent of the proposed legislation relating to student-athletes' ability to benefit from the use of name, likeness, and image. Across the country, a number of states are considering, or have adopted legislation relating to student-athletes' use of their names, likeness, or image. At the same time, there is strong interest in Congress to adopt federal legislation that would affect and compel NCAA and conference rule changes, and some legislative action is expected. The prospect of a patchwork of federal law and individual, differing state requirements is concerning to the USM, and we believe that any legislative initiative is best handled at a federal, rather than state, level so that there is a clear and consistent set of standards devoid of conflicts between differing legislative initiatives in different legislative bodies. Further, the implementation of rule changes adopted by the NCAA and the various conferences are matters where institutional decision-making, rather than the perspective of a detached and independent Council, will balance the concerns and needs of the entire campus community.

Lastly, issues like the impact of compensation received by student-athletes for the use of name, likeness, or image may have implications for federal financial aid processes and calculations, and potentially accreditation matters that are better addressed through federal legislative processes. While the USM shares the values, intentions, and motivations behind this legislation, significant concerns remain.

House Bill 1052

University System of Maryland - Contaminants in Campus Buildings - Review, Monitoring, and Remediation

House Bill 1428

Environment - Higher Education Facilities - Mold Hazards and Mold or Moisture Problems

USM Position: Support with Amendment to do a review and report

Final Status: Did Not Pass, instead the USM will submit a report

House Bill 1052 requires the University System of Maryland (USM) to establish an ongoing monitoring program for each campus building in which a contaminant, including those specified, is identified. The USM must develop a transparent and inclusive system-wide process for students, faculty, and staff to submit, in writing, specific concerns related to building contamination. In addition, the USM must conduct a comprehensive environmental review, as specified, of each campus building within the USM. Based on the environmental review, the USM must prepare an environmental report with specified information and submit it to the Governor and General Assembly.

House Bill 1428 requires the Maryland Department of the Environment (MDE), in consultation with the Maryland Higher Education Commission (MHEC), the Department of General Services (DGS), and Maryland Occupational Safety and Health (MOSH), to adopt regulations to require periodic inspections of occupied higher education facilities in the State for the presence of a "mold

hazard” or a “mold or moisture problem,” as specified. The bill outlines steps that must be taken if mold issues are identified. Waivers from the required inspections may be granted under specified circumstances. Before adopting the required regulations, MDE must gather specified information. The bill also establishes reporting requirements.

The USM supports the intent of these bills to protect the health and safety of our students, faculty and staff; as well as preserving the physical integrity of our facilities. The significant increased costs attributed to fulfilling these mandates would create a difficult fiscal burden and could be better used to address the remediation of facilities. The respective fiscal notes are millions of dollars per year. Money dedicated to this issue area would be better used to allow the campuses to continue their efforts to fix and remediate our aging infrastructure.

Last November, a USM press release outlined the findings from a group of independent experts (with deep experience in infectious diseases, public health and communication, facilities management, industrial hygiene, and mechanical systems) that were tasked by the USM Board of Regents with reviewing the issue of environmental health in buildings at the University of Maryland, College Park (UMCP). The expert panel relayed a finding that, in addressing these issues, campus officials followed all recognized federal, state and campus protocols in their efforts to inform the campus and maintain a healthy campus environment. Even more important to our discussion today, they made several recommendations that are helping to inform best practices at all USM institutions, including:

- Establish a broader culture of emergency management and training
- Develop better, more coordinated systems for tracking data, both on and off campus
- Improve campus-wide systems for communicating with faculty, staff, students, families and other outside stakeholders on health and wellness issues.

House Bill 245 – Senate Bill 647

Election Law - Institutions of Higher Education - Voter Registration and Voting by Students

USM Position: Support with Amendment

Final Status: Did Not Pass

These bills establish various requirements relating to voter registration and voting by students at institutions of higher education. The University System of Maryland (USM) has a long track record supporting civic engagement including voter registration efforts. The USM wants to ensure that House Bill 245 supplements, and does not supplant, our current data-driven and curricular-based efforts.

In November, the USM Board of Regents hosted a System-wide Civic Education/Civic Engagement (CECE) workshop to bring campus teams together to report on the campus-level progress on the three committees that came out of the Regents’ Workgroup on Civic Education and Civic Engagement in 2018. Those committees reviewed specifically the area of student voting.

The USM sought an amendment to delete a policy allowing students an excused absence from class to vote. In the Regent's Workgroup concern was also expressed about the demand on an instructional calendar that already includes civic education and engagement activities and programming. The National Study of Learning Voting and Engagement (NSLVE) presented the most recent summary report on voter registration and voting statistics for the USM. For example, many institutions named Carnegie Community Engagement Classification ("Carnegie Classification") as a long-term goal. The application window opens every five years and Towson University has earned the Community Engagement Classification. The University of Maryland, Baltimore County and Salisbury University applied for the classification in the 2020 cycle and attained that status this week. The next window opens in 2025.

The 2019 NSLVE Report confirmed a strong student voter registration and voting turnout across USM, an increase in the 2018 elections of almost 24% over the voting rate in 2014. However, absent some amendment, House Bill 245 may overlook tried and true techniques for current voter mobilization activities in Maryland's public universities. All USM residential campuses maintain and promote a voter information and registration web page with election-related deadlines and links to all states' voter registration and absentee ballot information.

House Bill 641 – Senate Bill 660

Collective Bargaining - Chancellor of the University System of Maryland – Negotiations

USM Position: Oppose

Final Status: Did Not Pass

This legislation would change fundamentally the collective bargaining process at each of the University System of Maryland's (USM) twelve constituent institutions without any demonstrated benefit to university employees. It would (1) revoke the legislative authority of the twelve institution presidents by assigning to the USM Chancellor the authority to designate a representative to negotiate on behalf of their institution; (2) require the Chancellor to engage in consolidated negotiations on behalf of all bargaining units at all of the 12 institutions that are represented by the same labor union, rather than make such consolidated bargaining a voluntary decision by each institution president, as current law provides; and (3) give the labor union the power to veto the institution president's right to negotiate matters "particular to an institution" and require such matters to be negotiated at the System level by the Chancellor.

Such a broad transfer of authority from the institutions to the System will damage the institutions and undermine the president's legal role as "chief executive officer" of the institution, as set forth in Title 12 of the Education Article. In describing the many powers and duties of an institution president, the law states that the presidents shall have the power to "...appoint, promote, fix salaries, grant tenure, assign duties, and terminate personnel..." as well as "create any position within existing funds available to the University..." The USM believes that in order for institution presidents to responsibly carry out these responsibilities, they must retain the authority to determine whether it is in the institution's best interest to engage in consolidated bargaining with

other institutions, rather than ceding this authority to a labor union, and they must retain their authority to designate a collective bargaining representative who they believe can best represent the institution.

Unlike some highly centralized systems of higher education across the country, the University System of Maryland was deliberately designed to be decentralized, with a small system office, and to provide a high degree of autonomy to each of its institutions. Under Maryland law, the USM Board of Regents is responsible for the broad management of the USM, but the Board is required to consult with university presidents in developing guidelines, policies, and plans for the System, such as policies that establish high standards of operation, including managing personnel equitably. The law states that, with the exception of property sales and issues related to establishing or consolidating institutions, the Board, “shall delegate to the president of each institution authority needed to manage that institution ... including the authority to establish policies appropriate to the institution’s mission, size, location and financial resources.” If the Board were to overstep that authority and engage in hands-on management of institution personnel, it would usurp the president’s statutory authority. These bills would do just that.

Each institution is responsible for developing its own pay structure and pay administration program for exempt positions and has the obligation to compensate employees in a manner that is “competitive within each institution’s respective employment market.” Jobs shall be assigned to pay ranges that “reflect the relative value of jobs within each institution” and employees are to be paid according to “job value and their contribution to the institution’s mission.”

Each institution develops its own recruitment and performance management policies, its own holiday calendar, institutional workweek and work schedules, and determines whether compensatory leave shall be available to exempt employees. Within its existing budget, each institution may create positions deemed necessary, without authorization from the Board.

There are 26 bargaining units within the USM’s twelve institutions, represented by three different labor unions. The Fraternal Order of Police represents eight police units, AFSCME represents five exempt units and one police unit, MCEA represents two nonexempt units and one police unit, and AFSCME represents nine nonexempt units.

Required consolidated bargaining, as opposed to the voluntary system under current law, likely will hurt the USM’s smaller institutions that have fewer financial and other resources. It would create pressure on the USM to “average” the participating institutions’ interests, failing to account for the individual needs and desires of employees at different institutions. These bills weaken the president’s authority as chief executive officer to manage the institution’s workforce.

House Bill 214 – Senate Bill 658

Higher Education – Collective Bargaining – Graduate Assistants

USM Position: Oppose

Final Status: Did Not Pass

These bills authorize graduate assistants at the University System of Maryland (USM) to collectively bargain. Since 2009, the USM has worked to improve the status of the USM's approximately 6000 graduate assistants (based on a recent survey of all institutions), including the establishment of a "Meet and Confer" process that gives these students (and adjunct faculty) the opportunity to engage a labor representative to represent them in discussions with campus administrators. The USM adopted a Policy on Graduate Assistantships, which addressed the following issues:

- Due process protection and grievance rights;
- Participation in the shared governance process;
- Stipends comparable to those at peer institutions; and
- Clarification of the university's expectations regarding duties and time commitments

Currently, in addition to a monetary stipend, most USM graduate assistants receive a tuition-free education, fully subsidized state health care, and stipend increases in each year of a contract. The "Meet and Confer" process provides graduate assistants with many of the perceived benefits that collective bargaining offers, including the right to engage a labor organization to assist them in this process.

House Bill 1082

Higher Education – Denial of Transfer Credit – Notice and Report

USM Position: Support with Amendment

Final Status: Did Not Pass

House Bill 1082 requires the Maryland Higher Education Commission (MHEC) to establish notification procedures regarding the denial of transfer credits; report the denial to the institution from which the transfer student originates; and submit to MHEC an annual report listing the denials and the reasons for the denials.

The University System of Maryland strives to ensure that the transfer process works as smoothly as possible. House Bill 1082, as written, is challenging to a process that is dynamic and often changing. Of the 2019 cohort of comparable baccalaureate degree recipients, the 9,214 that began as first-time freshmen averaged 132.1 credit hours. Of the 7,671 transfers from Maryland Community Colleges, the average number of credits was 127.8. While there are several reasons for each of these cohorts to have more than the basic requirement of 120 credits required for most bachelor's degrees, these average numbers do not tell the stories of individual students that have met challenges.

The reporting requirements require extensive communication between the sending and receiving institution. Our institutions work diligently to create articulated pathways for students so that the

transfer may be as seamless as possible. If students follow these recommended transfer pathways, they should not “lose” any credits in the transfer process.

The language in the bill, including “denial of transfer credit” should refer to courses wholly ineligible for transfer. However, this will not reflect the most common of the issues for the student. It is not that the credit is “denied.” The most common situation is that the courses taken do not apply to the major as selected at the receiving institution, and therefore the student must take additional prerequisite courses to complete the major and earn the degree. In other words, the courses are transferrable for credit, but not applicable to the degree. No transfer platform will amend this issue.

ARTSYS is a computerized information system created to facilitate the transfer of students from Maryland community colleges to the USM institutions and other participating institutions. We are now seeking mechanisms to support the upgrading of the ARTSYS system of transfer for the state of Maryland but understand that there are many challenges remaining. House Bill 1082 does not fix these problems outright. However, it is important to recognize that the recording and transcription of transfer credits differs from institution to institution and is decentralized at some campuses.

The USM currently works with the leaders of Maryland community colleges to focus on improving the transfer system. In addition to hosting a meeting of presidents from USM and community colleges, we are also convening a work group of chief academic officers to work out more details and gaps in the transfer process.

House Bill 719

Transfer Students – Courses Counting Toward Chosen Degree

USM Position: Oppose

Final Status: Did Not Pass

The bill requires the Maryland Higher Education Commission (MHEC) to establish procedures and standards for transfer articulation agreements between the 2-year and 4-year public higher education institutions. With two-thirds of incoming students now coming to us with at least some community college coursework, the University System of Maryland (USM) actively supports the development and maintenance of articulation agreements and the maintenance of a platform that ensure the most effective and efficient transfer pathways possible. Because of the availability of these articulation pathways, the number of transfer students admitted to USM institutions continues to rise steadily –over the 5-year period from Fall 2014 to 2019 transfer enrollments have grown from 23,355 to 38,449.

System officials were concerned that the bill, which requires that at least 60 credits earned at any community college transfer and automatically be applied to a degree at any public four-year university is; (a) not the best solution to set students up for success, (b) is duplicative in some ways of what the USM is already doing in a more streamlined fashion, and; (c) will require serious resources to implement in ways that do not support our existing articulation system.

House Bill 167

Higher Education - State Payments to Private Institutions – Unserved Student Populations

USM Position: Oppose

Final Status: Did Not Pass

House Bill 167 requires the State of Maryland to provide state funding to private nonprofit institutions of higher education to cover the cost of tuition and fees for eligible students who reside more than 30 miles from a public institution of higher education.

Given the state’s limited resources and many funding needs, the USM disagrees with directing public funds to private institutions for this purpose. The bill also does not account for the state’s Regional Higher Education Centers, including the Universities at Shady Grove, the USM at Hagerstown and the USM at Southern Maryland in the distant calculation. These regional centers offer affordable convenient access to our public institutions in previously underserved areas of the state. Our regional centers offer high demand programs needed by the regional workforce in state-of-the-art facilities. The programs develop articulation agreements with regional community colleges for streamlined transfer into programs that our employers want.

Moreover, the University of Maryland Global Campus (UMGC) is an online university accessible from anywhere in the state. With so many ways to access affordable public higher education offered by the USM and our other public college and university partners, this bill is unnecessary.

House Bill 419

Higher Education -Report on Collection Practices for Unpaid Fees and Services

USM Position: Oppose

Final Status: Did Not Pass

House Bill 419 would require public, private, and for-profit institutions of higher education to collect specified data on unpaid fees and services owed by current students and graduates, including the number of academic transcripts, grade reports, diplomas, and any other information related to coursework or educational degrees withheld by an institution due to a student’s unpaid fees and services. This legislation would have a significant financial impact on institutions of higher education. The bill would require functional and technical resources to assess the determinations of the bill. Our institution’s student billing systems are not currently formatted

to collect most of the information that would be required to be retrieved from other third-party systems and testing of the data to ensure accuracy would need to be completed. Staffing resources for point of contact and data management will be necessary in order to identify, extract, transfer, and load the data. One institution estimates 80-100 hours of initial research by current staff in the Bursar's office to determine the feasibility of the required data collection.

Currently, USM institutions are required to transfer all delinquent student accounts to the Central Collection Unit of the State of Maryland (CCU). Typically, the delinquent accounts may include tuition, mandatory fees, room, meal plans, parking permits and parking fines. While we understand that the suspension of transcripts and other official documents can be impactful to our students, we work diligently to provide flexible repayment options.

House Bill 747 – Senate Bill 933

State and Local Procurement - Payment Practices

USM Position: Oppose

Final Status: Did Not Pass

This bill would shorten the timeframe within which state agencies must make payments under procurement contracts from 30 days to 15 days. In compliance with current law all University System of Maryland (USM) institution disbursements are reviewed using an extensive internal control process. Disbursements are then processed through the State Comptroller and Treasurer.

The General Accounting Division (GAD) audits USM invoices for completeness, accuracy, and compliance. To facilitate the GAD audit, campuses are required to prepare, collate, print, batch, assemble and transport the paper invoices along with back-up documentation for each payment. The process is labor-intensive and precludes the USM institutions from exploring efficiencies and cost savings through automation. This audit function requires us to organize and batch all the paper, then courier this paper to Annapolis on a daily basis.

The proposed 15-day timeline in this legislation is unworkable. The only way USM institutions could achieve this reduced timeline is full automation, no paper. To ensure the State Comptroller issues payment within 15 calendar days would require USM institutions to review the invoice and process for payment within 5-7 calendar days. Providing a short time frame to review receipt of goods and services has the potential to result in release of payment without thorough review. Furthermore, USM campuses are on an academic year (AY) calendar and not a fiscal year (FY) calendar. House Bill 747 does not take that into consideration.

House Bill 526

Higher Education - Differential Tuition - Notification and Income Tax Subtraction Modification

USM Position: Oppose

Final Status: Did Not Pass

House Bill 526 would create a subtraction modification against the state income tax for the portion of differential tuition payments. The potential fiscal impact to University System of Maryland (USM) institutions would create complex reporting systems to report differential tuition information to taxpayers, the amount of which is difficult to determine with this short turnaround. House Bill 526 establishes a Maryland Income Tax Subtraction Modification for payers of differential tuition “for the amount used by the institution to provide a scholarship or other financial aid to students.” The higher education institution is required also to provide the individual who paid the differential an annual statement. The bill also defines differential tuition as “the additional tuition that is charged by an institution of higher education for particular courses that is higher than tuition that is charged for other courses.”

At USM campuses differential tuition is not charged by course, and therefore does not meet this definition. Instead, differential tuition is charged to students by major who reach junior standing for a maximum of four semesters.

Determining who paid the actual differential is not possible. For example, a student’s bill could consist of tuition, tuition differential, fees, room and board. Payments to the account could include a student loan, a parent loan a grandparent’s 529, an outside scholarship and cash at the cashier window. Individuals who make student account payments are not tracked, and to begin tracking would require significant system modifications and expense to maintain. Social security numbers, name and address information would need to be collected at the time of payment for all payments to create annual statements for payments applied to the tuition differential.

The expense of creating an infrastructure to track payers and isolate individual and/or multiple individuals to a student account for the tuition differential share provided for scholarship or other financial aid is not feasible. Additionally, requiring customers to provide additional information at time of payment is an inconvenience to the customer and will have a negative impact on their payment experience.

House Bill 1151

Higher Education - Undergraduate Degree Requirement - United States History Course

USM Position: Oppose

Final Status: Did Not Pass

House Bill 1151 mandates that each public institution of higher education require an undergraduate student to pass a United States history course to earn a degree. All college graduates should not only have a working knowledge of history, but they should be well-prepared to be responsible and civically engaged citizens. However, a single required history course will not accomplish this goal.

In Maryland, a US History course is a requirement for high school graduation. Approximately 80% of students in the University System of Maryland (USM) institutions would have already had such a course. Many out-of-state students would have had a US History course as well. USM institutions provide students several options in civic and community engagement, participation in advocacy processes, and voter registration and education efforts. The institutions that comprise the USM are national leaders in civics education and civic engagement

That initiative includes faculty development opportunities for faculty across all subjects to help them bring civic and community engagement into their classroom. Three USM institutions have achieved the prestigious Carnegie Community Engagement Classification. Fewer than 10% of all universities and colleges in the country have earned this honor. Towson University, University of Maryland, Baltimore County and Salisbury University have all earned the classification. Other USM institutions, including the University of Maryland, College Park have wide-ranging and substantive opportunities for students to participate civic engagement activity.

According to the National Study on Learning, Voting and Engagement (NSLVE) at Yale University, the USM has among the highest rates of student voter registration and voting in the country. 81% of USM students were registered for the 2018 election, and over 44% voted, which is 5% higher than all other public four-year universities.

In addition, USM institutions would incur additional costs. These would include costs to hire additional faculty, advisors and infrastructure to assure that every student take (and pass) a US History course. All curricula for every major, general education requirement, and transfer pathways would have to be adjusted [and all catalogues revised] to reflect this new requirement. High school, community college, and university advisors would have to be appropriately trained to assure that each student could take a specific course in a sequence that would not disrupt their schedules.

House Bill 1466

Labor and Employment - Employment Contracts - Intellectual Property

USM Position: Monitor

Final Status: Did Not Pass

USM institutions reward their inventors with a generous share of royalties and other income that are generated by their inventions. If university employees retain ownership they often lack the

significant financial resources required to obtain patent protection and commercialize the inventions. This legislation could potentially undermine the system by clouding the question of ownership and risks wreaking havoc on a structure which is currently highly-functioning, effective, and beneficial to the people and State of Maryland.

Determination of ownership of employee-made inventions is often quite complex and nuanced. The term “scope of employment” itself is not definitive and is subject to a myriad of interpretations which are fact specific. The bill could lead to confusion in the process of patenting valuable inventions. Federal patent law requires that the true owner of the invention be correctly identified. Disputes about ownership could jeopardize the ability to receive important patents. Federal law requires that universities take title to inventions which are created from federal-funded research. House Bill 1466 could jeopardize the university’s compliance with those obligations.

House Bill 796

Higher Education - Freedom of Speech on Campus - Protection (Forming Open and Robust University Minds (FORUM) Act)

USM Position: Provided Informational Testimony

Final Status: Did Not Pass

In June, the University System of Maryland (USM) Board of Regents approved the Freedom of Speech and Expression Value Statement and Guidelines.

USM and its institutions hold true to that concept and right. To that end, the System presented freedom of speech and expression values statement to articulate that commitment and guidelines to help our institutions as they navigate complex freedom of expression and freedom of speech-related issues on our campuses. The values statement and guidelines were developed by a workgroup of campus experts and USM staff and affirmed by the USM presidents, provosts, vice presidents for student affairs, shared governance councils, and the Office of the Attorney General. The free exchange of ideas and information is central to higher education’s foremost obligation of fostering both intellectual development and the discovery and dissemination of knowledge.

House Bill 42 – Senate Bill 67

Public Information Act - Applications for Inspection - Responses and Time Limits

USM Position: Oppose

Final Status: Did Not Pass

This bill would shorten time limits under Maryland’s Public Information Act (PIA) from 30 to 7 days; reduces the timeframe to provide requested information from 30 to 7 days; and reduces notification of time delay from 10 to 5 days and notification of denial from 10 to 5 days.

The Maryland Public Information Act entitles each person to complete information about the affairs of government and the official acts of public officials and employees, unless otherwise

expressly provided by law. The University System of Maryland (USM) is committed to providing customer-friendly service when responding to requests for public information.

The reduced PIA response time in the bill is extreme and fails to address the scope and breadth sought by an individual requester. The USM, and the constituent campuses, lack adequate staff to turn requests around this quickly. Many requests are broad and require communication with the requester to narrow the scope, which takes time. Requesters seek copies of email correspondence, requiring the development of search queries with the assistance of information technology staff, frequently resulting in a large volume of emails (typically in the upper 100s to 1000s of pages) that must be reviewed for responsiveness. After searches are conducted, and documents are reviewed for responsiveness, attorneys and/or paralegals must review and redact information that is protected from disclosure under the PIA; this can take hours, depending on the volume of responsive documents. The work cannot be done in an automated fashion.

Requesters can file suit where there is a failure to produce documents in compliance with PIA deadlines and where a requester substantially prevails, they can recover damages and their attorney's fees. There would likely be substantially more of these cases filed if legislation is passed with these very demanding deadlines.

House Bill 401 – Senate Bill 758

Public Information Act - Remote Access, Fee Complaints, Fee Waivers, and Inspection of Judicial Records

USM Position: Oppose

Final Status: Did Not Pass

This bill would require the University System of Maryland (USM) to waive fees for indigent requesters who ask for a waiver and waive fees for document requests if the request is made by a representative of the news media. The Maryland Public Information Act (PIA) entitles each person to complete information about the affairs of government and the official acts of public officials and employees, unless otherwise expressly provided by law. The University System of Maryland is committed to providing customer-friendly service when responding to requests for public information. Across the USM, these changes would require all the public university campuses to devote more resources to this task. Since the majority of requests processed would fall within the expanded definition of news media, mandating fee waivers removes any incentive for a requester to submit a refined inquiry. Inquiries will be broad and voluminous if the requester knows no fee can be assessed and delay the processing of requests.

House Bill 502 – Senate Bill 590
Public Information Act – Revisions

USM Position: Oppose

Final Status: Did Not Pass

The bills expand the jurisdiction of the Public Information Act (PIA) Compliance Board to include additional types of disputes; institutes an integrated PIA complaint resolution process that includes the Public Access Ombudsman; and requires a custodian to adopt a proactive disclosure policy. Implementing these changes will require the USM to devote significantly more resources to this task. In attempting to meet this broad array of mandates, given the consistently high volume and complexity of PIA requests received, information technology and legal services would need significant investments in resources. For fiscal year 2021, the combined estimated fiscal impact for one USM institution is expected to be \$775,000 – not including benefits.

The required proactive disclosure of records and the required recordkeeping and reporting will simply create additional work for institutions. The expanded jurisdiction of the PIA Compliance Board to include disputes over fee charges over \$200, disputes over withheld documents, and disputes over missed deadlines will increase the workload of institutions that will have to respond to complaints filed with the Board. The Board’s authority to waive a will likely result in reduced recovery of the value of time spent in fulfilling requests, as fee payments will go down.

The bills give the Board the authority to review and resolve complaints of agencies regarding requesters whose “request or pattern of requests is frivolous, vexatious, or in bad faith.” While this is a potentially positive development, USM institutions still receive multiple and/or repetitive requests over extended periods of time from specific individuals.

House Bill 717 – Senate Bill 514
Public Information Act - Required Denials - Distribution Lists

USM Position: Oppose

Final Status: Did Not Pass

The bills define “distribution list” to mean a list of recipients who have affirmatively opted to receive information or alerts and narrows an existing requirement pertaining to the denial of inspection of distribution lists. In addition, the bill requires a custodian of a public record to deny inspection of only the part of a specified distribution list – and a request to be added to a distribution list – that identifies a physical address, an email address, or a telephone number of an individual. Under current law, a custodian must deny inspection of the full list, as specified. In addition, the bill excludes distribution lists used for the sole purpose of sending informational notices from the bill’s requirements.

This legislation reduces agencies' ability to withhold from requesters lists of persons who receive information about official activities or alerts from the agency. They must disclose such lists, unless the people on the list have affirmatively indicated to the agency that they want to receive the information or alert. Also, agencies can withhold only that part of the list that identifies a physical or e-mail address or a telephone number of an individual.

As a practical matter, this means that institutions must disclose such mailing lists upon request unless the people on the list have affirmatively opted to receive the mailings. Even if they can withhold the addresses and telephone numbers, they must disclose the names on the list.

The provisions are extremely broad and vague. There are potentially many lists at a university that would fall within this statute. Presumably, many departments/functions on campus would have a mailing list of people to whom they send official information/announcements. For example, police, residence, student affairs, alumni, admissions, may send information and/or alerts. Additionally, the disclosure requirement could raise privacy concerns where names and addresses had to be disclosed. For example, a mailing list of prospective donors (who had not opted in) would reveal their home addresses or e-mail addresses.

House Bill 372

Public Information Act (PIA) - Required Denials for Specific Information - Sociological Information

USM Position: Oppose

Final Status: Did Not Pass

House Bill 372 prohibits a definition of "sociological information" adopted under rules or regulations by an official custodian of a public record from including an individual's personal address. The current statute provides that sociological information must be withheld from disclosure. However, it also provides that agencies may designate information that they consider to be "sociological information.

University System of Maryland (USM) institutions will not be able to rely upon the "sociological information" exception to withhold personal addresses even though some institutions may include personal addresses within their definitions of sociological information. Under House Bill 372, USM institutions will no longer be able to withhold personal addresses on this basis.

The PIA currently has a provision under 4-330 which permits state agencies to define "sociological information (SI)." SI shall not be released. This tool is in place to provide the USM institutions with flexibility in order to protect sensitive records and information not currently contemplated by the PIA's limited exemptions. House Bill 372 attempts to eliminate "personal addresses" as a category of information that can be protected under 4-330.

BUDGET COMMITTEE NARRATIVE

At times, the budget committees wish to express legislative intent or request the University System to perform certain studies or report on particular issues during the interim. This is usually written as “committee narrative” in the chairmen’s report of the budget committees’ action. Committee narrative does not have the effect of law nor does it require agreement to the language on the part of the entire House and Senate. However, both budget committees must agree on the wording. All language appearing below in this section is exactly as it appears in the original legislation.

The USM and the affected institutions will respond to committee narrative on the following issues. Again, unedited language from the committee narrative is used in this section:

Bowie State University University System of Maryland

Bowie Nursing Program Update: *Bowie State University (BSU) has faced difficulties in meeting the Maryland Board of Nursing (MBON) required National Council Licensure Examination (NCLEX-RN) pass rate for its Nursing Program. MBON placed the BSU Nursing Program on conditional approval in 2013 where it has remained through 2020. BSU has implemented strategies meant to improve this pass rate. The budget committees request a report that documents how the actions identified by BSU have improved the NCLEX-RN required MBON pass rate.*

Author: BSU

Due Date: August 1, 2020

University of Baltimore University System of Maryland

Status of Implementing Realignment Plan: *The University of Baltimore (UB) recently announced a plan to realign the institution in response to the continuing challenges that it has been facing including budgetary constraints due to declining enrollment. Actions can be categorized in one of four goals: positioning UB as a leading professional and career-focused institution in the region; student success; community engagement; and financial stability. The committees request a report that includes the status of plan implementation, including a timeframe for full implementation and the results from actions that have already been implemented.*

Author: UB

Due Date: December 15, 2020

**University of Maryland Global Campus
University System of Maryland**

Report on the National Footprint Campaign and Market Competitiveness: *The University of Maryland Global Campus (UMGC) is undertaking a \$500 million National Footprint Campaign, which includes \$289 million for a national campaign and \$211 million for a regional campaign, to increase enrollment from outside the Baltimore-Washington area. UMGC has performance metrics in place to ensure that the advertising data is meeting internal targets. Initial results have been mixed. The committees request that UMGC submit a report by December 1, 2020, on the goals of the advertising campaign and progress toward the goals. The report should include the return on investment attained on the regional and national advertising expenditures based on enrollment. In addition, UMGC has stressed the need for continued flexibility within its business model to maintain its competitiveness in the online higher education space. UMGC should report back on the ongoing discussion with the University System of Maryland Board of Regents and the Chancellor regarding (1) needed enhancements to the UMGC business model that will enable UMGC to respond swiftly and prudently to changes in the online market; (2) the strategic direction of the institution; and (3) enhanced tuition flexibility in order to provide eligible, qualified Maryland resident and nonresident distance, adult, and military learners with affordable, quality education.*

Author: UMGC

Due Date: December 1, 2020

**Bowie State University
University System of Maryland**

Report on the Feasibility of a Bowie State University Law School: *The committees request the University System of Maryland Office (USMO), in collaboration with the Maryland Higher Education Commission, to convene a workgroup to determine the feasibility of a law school at Bowie State University (BSU) or locating a law school in Prince George's County. The report should include the advantages and costs of establishing a school of law at BSU regional demand and enrollment needed to justify a law school considering other area law schools and accreditation and regulatory requirements in establishing or locating a law school. The workgroup should include representatives from the General Assembly, BSU, and the Maryland State Bar Association.*

Authors: USMO, MHEC

Due Date: December 1, 2020

University System of Maryland
University System of Maryland Office

Report on Postsecondary Strategies to Implement the Blueprint for Maryland's Future: *The committees request a workgroup be established to develop postsecondary strategies and alignment with the Commission on Innovation and Excellence in Education's recommendations and the Blueprint for Maryland's Future (SB 1000/HB 1300). The workgroup will be staffed by the Maryland Higher Education Commission (MHEC) and the University System of Maryland (USM) and will consist of representatives from USM institutions, MHEC, the Maryland State Department of Education, the Maryland Department of Labor, community colleges, independent colleges, and apprentice sponsors. The report will focus on institutional goals and plans to reach the Commission on Innovation and Excellence in Education's goals for dual enrollment; articulation with bachelor's, associate's in arts, and apprenticeship and career credential programs; reform of teacher education; and expansion of prekindergarten teacher education. The workgroup should develop recommendations in consultation with the Accountability and Implementation Board and the Career and Technical Education Committee established by SB 1000/HB 1300.*

Authors: MHEC, USM

Due Date: December 1, 2020

University System of Maryland
University System of Maryland Office

Status of Implementing Universities at Shady Grove Financial Viability Report Recommendations: *In 2019, concerns about the financial sustainability and continuing enrollment decline at the Universities at Shady Grove (USG) prompted the budget committees to ask the University System of Maryland Office (USMO) to submit a plan to ensure the fiscal viability of USG. USMO convened a commission comprised of various stakeholders. The commission submitted a report on ensuring the financial viability of USG that contained 33 recommendations that focused on leadership; governance; USG's funding model, expansion of USG's mission; and the transportation needs of USG students, faculty, and staff.*

Author: USMO

Due Date: October 1, 2020

###