

END OF SESSION REPORT

April 14, 2009

HB 100 / SB 165 – 2010 Operating Budget

The difference between the House and Senate versions of the State budget for community colleges was worked out in conference committee. The final appropriation of \$267,290,000 provides a statewide increase of 4.9%. This includes fringe benefits and grants. Cade funding increased \$7.7 million for a total of \$210,319,000, for a 3.8% increase over last year’s appropriation after adjustments. This increase, which was more than proposed by the House but less than the Senate, is NOT tied to a tuition freeze and will be run through the formula.

BCCC funding was increased \$1.4 million for a 3.4% increase over last year after adjustments.



The Cade, BCCC, and Sellinger formulas were all “trued up” and restructured to create a different timeline to reach the maximum percentage tie.

The following language was adopted: *“It is the intent of the General Assembly that no state funding may be used to provide salary and wage increases to community college employees.”*

Regional Higher Education Centers

The Governor appropriated \$850,000 in his original budget for the five Regional Higher Education Centers (RHEC) that are not funded through USM; another \$400,000 was appropriated in the Governor’s second supplemental budget.

In addition, the budget conference committee adopted narrative that attempts to transfer \$500,000 of the \$1,500,000 allocated by the Governor in the second supplemental budget for the Higher Education Investment Workforce Initiative to the RHEC. In the past, attempts by the legislature to transfer funds in the budget have failed. Further conference committee narrative states *“it is the intent of the General Assembly that the \$1,750,000 provided for RHECs in the fiscal 2010 appropriation shall be the base funding level in future years.”*

RHEC	Waldorf	Chesapeake	AACC	Laurel	HEAT	Southern MD
\$850,000	100,000	100,000	100,000	100,000	100,000	350,000
\$400,000	47,200	47,200	47,200	47,200	47,200	164,000
Minimum	147,200	147,200	147,200	147,200	147,200	514,000

HB 102 / SB 167 – 2010 Capital Budget

The House and Senate agreed to amend the Governor’s \$84 million capital appropriation to community colleges, but did not expand the authorization. Instead, they accepted a DLS recommendation to split fund construction projects. This decision, coupled with the fall-out of the Harford Community College construction project, allowed the Governor’s \$84 million original appropriation to fund all 21 projects on the community college CIP request. Any excess funds would be added to the Prince George’s Community College Health Studies Center.



HB 353 / SB 551 - Weapon Free Higher Education Zones

This bill would have prohibited a person from carrying or possessing any firearm, knife, or deadly weapon on the property of a public institution of higher education in the State. The prohibition in the bills did not apply to an on-duty law enforcement officer, a guard hired by the institution, a person engaged in organized shooting activity for educational purposes, or other specified historical activities with an education purpose with a written invitation from the president of the institution. MACC submitted amendments to exempt tools used for instructional purposes.



HB 541 / SB 686 – High Performance Building Act – Community Colleges

This bill would have required community college capital projects that receive State funds to comply with the State’s High Performance Building Act. The High Performance Building Act requires most new or renovated State buildings and new school buildings to be constructed as high-performance buildings, subject to waiver processes established by DBM, DGS, and the Board of Public Works (BPW). Between fiscal 2010 and 2014, the State funds 50% of the local share of increased K-12 school construction costs associated with high-performance buildings.



HB 710 / SB 802 – Edward T. Conroy Memorial Scholarship Program - Alterations

The Edward T. Conroy Scholarship administered by the Maryland Higher Education Commission, provides up to \$9,000 per year to the children and spouses of members of the U.S. military who died or suffered a service-connected disability; POW/MIAs of the Vietnam War; victims of the September 11, 2001 terrorist attacks; and State or local public safety employees or volunteers who died or suffered 100 percent disability in the line of duty.

As originally drafted, this legislation would have repealed the Conroy Scholarship and replaced it with a tuition waiver program. The proposed change was driven by the fact that eligible students were being placed on a waiting list until MHEC had the funds to make an award.



MACC supported amendments sponsored by MHEC to retain the scholarship program, but to decentralize the determination of eligibility. MHEC will continue to publicize the program, but students would contact the financial office at the institution they plan to attend if they feel they meet the eligibility criteria. The

institution will determine a student's eligibility and MEHC will allocate funds contingent on verification. If funds cannot be allocated immediately by MHEC, institutions will be reimbursed as the Conroy funds become available. The net effect is that Conroy eligible students would be able to enroll at the institution of their choice without delay or deferment.

HB 789 / SB 861- The Higher Education Funding Model for Maryland Act of 2009

This bill would have implemented the recommendations of the Bohanan Commission that met throughout the past two years to develop a funding model for higher education in Maryland. The legislation is basically a ten-year plan for higher education that establishes a new funding model based on comparative states, sets performance measures and tuition goals, and provides additional funding for HBIs and regional higher education centers.

While neither bill went beyond the hearing stage, the House and Senate budget committees agreed on narrative that recognized the important work of the Commission and ... *“urges the institutions of higher education, the P-20 Council and other stakeholders to move forward to implement those recommendations that can be implemented with existing resources, including incorporating the funding model into the State Plan for Higher Education, implementing an on-line Return on Investment to track progress with the goals; develop a definition of “college-ready” and an educational longitudinal data system to align and link primary, secondary and higher education curricula and data.*

In addition, MHEC in collaboration with the P-20 Council and other appropriate stakeholders, is to submit a report by December 2, 2009 that summarizes the progress made in implementing the Commission's recommendations.



Failed

HB 923 – BRAC Residency Tuition Fees at Community Colleges

This bill gives community college boards the ability to waive the out-of-state and out-of-county tuition for employees and their families who have located to Maryland because of BRAC. A BRAC employee or family member attending a community college who received in-state tuition under the bill is counted as an in-state resident for purposes of calculating State aid for community colleges using the Cade funding formula.



Passed

HB 948 – Higher Education - Part-Time Grant Program – Eligibility

This bill reduces the number of semester hours required to qualify for the Part-Time Grant Program from six credits to three credits. Community colleges may use up to 10% of its Part-Time Grant allocation to provide grants to students who are enrolled in at least three but less than six semester hours of courses each semester.



Passed

HB 1396 – Financial Assistance for Dually Enrolled Students

This departmental bill expands eligibility for the Part-Time Grant Program to include students who are dually enrolled in Maryland high schools and an institution of higher education. It clarifies that a dually enrolled student does not need to receive both high school and college credit from a course to be eligible for a Part-Time Grant. The bill permanently reauthorizes the Dual Enrollment Grant Program and renames it the Early College Access Grant Program. In addition to any funds allocated under the Early College Access Grant Program, institutions may use up to 10% of the Part-Time Grant allocation to provide grants to students who are dually enrolled.



HB 1526 – Maryland Workforce Corporation

This bill establishes the Maryland Workforce Corporation to develop an overarching framework for the State’s workforce development efforts. The new Corporation will work with State agencies to develop a plan and framework for innovative, demand-drive workforce development and training programs; secure public and private funds for the program; administer the programs it develops in accordance with its plan; provide grants and other assistance to support its programs; contract with training providers to conduct education and skills training program; act as a research and development resource in finding solutions for new and emerging workforce issues; and evaluate the effectiveness of the programs under its preview.



SB 66 – Supplemental Retirement Plans – Employing Institutions

On behalf of the community colleges, the Maryland Higher Education Commission submitted legislation to establish community colleges as independent employing institutions for purposes of administering supplemental retirement plans. This legislation requires each institution to administer the participation, termination, and retirement of its employees and authorizes each institution to establish and administer its own supplemental retirement plans in accordance with federal tax law.



SB 183 / HB 85 – Textbook Competition & Affordability Act

This bill requires higher education institutions to develop practices and procedures relating to the college textbook selection and purchasing process. Community colleges worked with the sponsors and other segments of higher education to produce a workable bill designed to lower the cost of textbooks. Unfortunately the final version of the bill leaves an unknown impact on wholesale publisher pricing; the release of course book selection before final adoption by faculty; and a “let the buyer beware” caveat for students. Specifics of the legislation that need to be implemented by July, 2009 can be found on following attachments.



SB 373 / HB 1152 – Maryland National Guard Members – Nonresident Tuition Exemption

Enactment of SB 373 exempts a member of the Maryland National Guard who joined or subsequently served to provide a critical military occupational skill or who serves as a member of the Air Force Critical Specialty Code from paying nonresident tuition at public institutions of higher education in Maryland.



SB 693 – Maryland Student Voting Rights Act of 2009

This bill would have required all public higher education institutions to develop, maintain and transmit student voter registration records. It required that each institution host a voter registration drive at the start of the school year and that institutions designate an individual to coordinate voter registration and voter education activities. The bill specified that an institution must provide an individual with an opportunity to request a voter registration application at the same time that a student identification card is obtained. The bill also specified procedures to be followed by the institutions in registering students to vote. Implementation of this legislation was contingent on the appropriation of sufficient funds in the State budget for that purpose and adoption of regulations by the State Board of Elections (SBE).



SB 973 / HB 1518 – Student Financial Assistance - Eligible Institutions of Higher Education

This bill would have re-defined eligibility of higher education institutions for financial aid. The sponsors' intent of this legislation was to maintain financial aid eligibility for students attending Hagerstown Business College that was recently purchased by Kaplan College. Kaplan is headquartered outside of Maryland. Under current law, Kaplan will no longer be eligible for Maryland State financial aid because students attending out-of-state institutions are ineligible for State financial aid even when the campus is located in Maryland.

