

MARYLAND HIGHER EDUCATION COMMISSION
Application for Initial Approval for Out-of-State Degree-Granting
Institutions to Operate in Maryland

Please Note: A separate application form must be completed and submitted with all supporting documentation for each proposed location in Maryland.

PROPOSED LOCATION IN MARYLAND.

Please provide the full mailing address. If a specific facility is yet to be identified, please provide as a minimum, the county or city in which you plan to operate.

[If these programs/classes are to be offered at a military installation and the recruitment and enrollment of students is limited to active duty personnel, their dependents, or civilians employed at the installation, and if the institution waives its right to claim veterans' benefits for enrolled students, do not complete this application. Complete an Application for Exemption to COMAR 13B.02.01 instead.]

PROPOSED START DATE.

Applications should be submitted at least 5 months prior to the proposed start date.

INSITUTION APPLYING FOR APPROVAL.	
Name of Institution:	
Web Address:	
OPEID Code: <small>U.S. Department of Education, Office of Postsecondary Education, ID Code -- Title IV eligibility.</small>	
Chief Executives Officer:	
Mailing Address:	
Telephone:	Email:

Institutional Liaison: Name and title of the individual who will serve as liaison to the Maryland Higher Education Commission:	
Name:	
Title:	
Mailing Address:	
Telephone:	Email:

***** **CERTIFICATION** *****

I hereby affirm that the answers given in this application and its attachments are accurate and complete and further agree to comply with the *Annotated Code of Maryland* and State regulations governing the operation of out-of-State degree-granting institutions (COMAR 13B.02.01).

_____	_____
Date	Signature of Chief Executive Officer

Please Submit All Information To:

**Maryland Higher Education Commission
Division of Planning and Academic Affairs
6 N. Liberty St., 10th Floor
Baltimore, Maryland 21201
acadprop@mhec.state.md.us
(410) 767-3268**

A copy of these regulations can be found at the Maryland Higher Education Commission’s web site www.mhec.state.md.us (under Academic Approval Process) along with an on-line application form.

I. SUPPORTING DOCUMENTATION.

Only a complete application can be acted upon. While separate application forms must be completed and submitted for each proposed location, the following Supporting Documentation needs to be included only once for the entire package of applications. **CHECK EACH ITEM AS ATTACHED.**

- Catalogs and Other Institutional Publications. COMAR 13B.02.01.20A(1)

Include one printed copy of the institution’s home campus catalog or other publication (graduate and undergraduate as applicable) that contains information on: academic progress standards, curricular content of the proposed programs, student services information, credit for prior learning as well as credit for practica, clinical experience, internships, and cooperative work experiences. Please also provide copies of the awards to be granted.

- Application Fee. COMAR 13B.02.01.07D(2)

The institution shall submit a non-refundable application fee in the amount of (a) \$7,500 for up to two degree programs and (b) an additional \$850 for each degree program over two programs. The institution’s check should be made payable to: Maryland Higher Education Commission.

- Accreditation. COMAR 13B.02.01.07D(3)(g)

Provide a copy of the most recent letter of approval (notification) from an organization recognized as an accrediting agency by the U.S. Department of Education. Along with your most recent notification of institutional accreditation, please provide evidence that you are in compliance with that organization’s policies and procedures related to off-campus educational activities. If any of your proposed programs require program accreditation provide evidence of that accreditation.

- Registration as an Out-of-State Corporation. COMAR 13B.02.01.07D(3)(f)

To transact interstate business in Maryland, the institution must qualify with the State Department of Assessments and Taxation by making the certification required in the Corporations and Associations Article, §7-202, Annotated Code of Maryland. A public institution is not required to qualify as a foreign corporation. However, a business entity affiliated with a public institution or a private institution (profit or non-profit) must qualify as a foreign corporation. The Foreign Corporation Qualification Form may be obtained from the Maryland Department of Assessments and Taxation, Room 809, 301 West Preston Street, Baltimore, Maryland 21201 or on-line at: www.dat.state.md.us. Once qualified, the institution must provide a copy of the certificate of good standing issued by the State Department of Assessments and Taxation.

- Certificate of Compliance COMAR 13B.02.01.07D(3)(o)

Please provide a certificate for each location for which you are seeking approval, indicating that the proposed facility has been inspected and is found in compliance with local and State ordinances pertaining to fire and safety. If this is not presently available, it may be submitted no later than 30 days prior to the start of classes.

- Board of Trustees Resolution of Financial Solvency COMAR 13B.02.01.07D(3)(e)

Please provide a resolution from your Board of Trustees addressed to the Secretary of Higher Education stating that your institution is financially solvent.

- Advertisements COMAR 13B.02.01.07D(3)(p)

Please provide copies of any advertisements in print format related to the proposed programs.

- Teach-out Plan COMAR 13B.02.01.07D(3)(j)(iv)

The institution must provide a copy of its teach-out plan allowing enrolled students to complete their programs if the institution decides to cease operation in Maryland.

II. APPLICATION QUESTIONNAIRE

This questionnaire, properly completed with supporting documentation, shall serve as an application for approval to operate in Maryland under the *Code of Maryland Regulations* (COMAR) 13B.02.01. It must be completed for each proposed location.

1. Programs.

Please enter below, or create an attachment (labeled “A-1: Programs”) to this application with your responses to the following:

(a) Provide a list of the proposed programs (or individual courses) to be offered at this location. An institution may apply to offer courses only if the full complement of courses comprise not more than 3 courses (or 9 credit hours) of a degree program. [See COMAR 13B.02.01.07D(5)] For each program/course provide the following information: (1) the full title of the program (or individual course); (2) the degree or certificate to be awarded; (3) the mode of instructional delivery; (4) the number of credit hours (semester or quarter); and (5) whether they are offered at the parent campus.

Program Title	Degree	Mode of Instruction	Total Credit Hours	Offered on Main Campus Yes / No
<i>Example: Organizational Management</i>	<i>M.S.</i>	<i>Classroom</i>	<i>36 sem</i>	<i>Yes</i>
<i>Example: BUS 101 Intro to Business Administration</i>		<i>Distance Ed.</i>	<i>3 sem</i>	<i>Yes</i>

(b) If the information does not appear in the catalog or publication you submitted, provide (1) a description of the curriculum; (2) the objectives of each course; and (3) a course schedule for the proposed location.

(c) Please provide a brief description of the student population to be served by the proposed program.

2. Educational Need. Before the Commission may evaluate the readiness of an out-of-State institution to operate or award new degrees in the State, including the offerings of an instructional program or a degree level not previously approved, the institution shall present evidence demonstrating the educational need to establish operations, offer programs, and award the degrees in question in the State. In addition, the out-of-State institution shall demonstrate that the proposed program, for which the institution is making application, meets a critical and compelling regional or Statewide need and is consistent with the Maryland State Plan for Postsecondary Education. COMAR 13B.02.01.06A & C

INSTRUCTIONS. Please enter the requested information in the spaces provided below, or create an attachment (labeled “A-2: Educational Need”) to this application with your responses to the following questions for each program.

(a) What critical and compelling Regional or Statewide (Maryland) need and demand do your proposed programs meet? In responding to this question provide documentation as indicated below:

(1) If the proposed programs serve occupational needs, present data on market demand and the availability of openings in the job market to be served by the new programs for which the institution is making application. This information may include workforce and employment projections prepared by the federal and State governments, the availability of graduates in the State or region, marketing studies done by the institution or others, and material from professional and trade associations. COMAR 13B.02.01.06E

(2) If the proposed programs serve societal needs (including the traditional liberal arts education), provide a description of how the proposed programs will enhance higher education in Maryland and contribute to society in general.

(b) If similar programs already exist in the State of Maryland, what are the similarities or differences in your program in terms of the degrees to be awarded, the areas of specialization, and the specific academic content of the programs?

(c) Is a Maryland employer sponsoring/supporting the application for the program(s) to be offered at this location? Yes No COMAR 02.01.07D(3)(q)

If yes, please attach a letter of support from the employer addressed to the Assistant Secretary, Planning and Academic Affairs. The letter should outline the employer's reasons for selecting the institution and its programs and state the benefits to the employees who participate in the program

(d) Will the programs/classes at this location be closed? [That is, only available to employees or members of the host site and not open to the general public]. Yes No

If yes, please supply a copy of a memorandum of understanding from the Maryland entity sponsoring your institution. The memorandum shall specify the institution is operating a closed-site and that the courses are offered solely for its own employees. COMAR 13B.02.01.07D(6)

(e) Will these programs/classes be offered in affiliation with a Maryland Regional Higher Education Center? Yes No

If yes, please identify the Maryland Regional Higher Education Center and provide a copy of the Memorandum of Understanding or agreement. COMAR 13B.02.01.22

3. Administrative Staff. The out-of-State institution shall provide for an on-site administrative staff responsible for overall administrative operation of educational activities including counseling, advising, testing orientation, financial aid services, and maintenance of academic records. In addition to being responsible for the administration of the policies and procedures of the parent institution, the designated administrators are responsible for meeting the expectations set forth in this chapter [of the Regulatory Standards of the State of Maryland for Out-of-State Institutions]. The duties and size of the staff shall be adequate for the size of educational activities offered. COMAR 13B.02.01.15

INSTRUCTIONS: Please enter the requested information in the spaces provided below, or create an attachment (labeled "A-3: Administrative Staff") to this application with your responses to the following questions.

(a) How are you are planning to meet the above standard on Administrative Staff?

(b) Who will be assigned to carry-out each of these duties? Please include a curriculum vitae/resume for each administrator in the attachment to this application

4. Faculty.

INSTRUCTIONS: Please enter the requested information in the spaces provided below, or create an attachment to this application (labeled “A-4: Faculty”) with your responses to the following questions. If complete and precise information is unavailable at this time, please provide projected staffing information including the faculty member’s status as full or part-time.

(a) List all faculty that are to teach in the first year (or cycle) of the proposed programs at this location. For each faculty member provide the following information: COMAR 13B.02.01.07D(3)(m)

- (1) the course(s) the faculty might soon teach;
- (2) the degrees the individual holds;
- (3) the degrees areas of specialization; and
- (4) whether or not the faculty member is full-time or part-time (adjunct) at your parent institution .

(b) Please include a curriculum vitae/resume for each potential faculty member. For those faculty who are yet to be hired include a job description and minimal qualifications.

(c) **Full-time faculty member** is defined as an employee: “(a) whose primary professional responsibility is instruction, research, scholarship, or service; (b) who performs those functions normally expected of a full-time faculty member at an institution of higher education, including curriculum development, student advising, and institutional service; (c) who is employed on an annual or renewable contract of at least 9 months long that stipulates an annual salary; and (d) who is not employed full-time by another employer.” COMAR 13B.02.01.03(10)

Will more than 1/3rd of the classes offered be taught by full-time faculty of the parent institution?

Yes No

Full-time Faculty Waiver. (See COMAR 13B.02.01.16E) If 1/3rd or less of the classes are taught by full-time faculty of the parent institution you will have to apply for a full-time faculty waiver. In order to obtain a waiver under the Regulations, please respond to the following:

- (1) Demonstrate that the unique role, scope, and mission of the institution require a waiver in order for the institution to operate.

(2) After making this demonstration the institution shall then provide the following:

- (i.) Designate by name the faculty members whose primary responsibility is instruction, scholarship, research or service who will perform the duties normally required of full-time faculty.

(ii.) Document that these designated faculty members substantially participate in the development or implementation of one or more of the following activities at the institution requesting the waiver: (A) Academic programs, (B) Professional Programs, (C) Research Programs, (D) Service Programs, (E) Admission or Admission policies, (F) Academic Advising, (G) Faculty Appointments, or (H) institutional governance.

(iii.) Document that the full time faculty, as a group, participate in all of the activities listed in (2)(ii.) above.

(iv.) Document that the designated faculty shall perform the requirements of full-time faculty under Section C of the regulations – i.e., at least one-third of the classes offered shall be taught by full-time faculty of the parent institution.

(3) **Documentation includes**, but is not limited to: (i) minutes of meetings; (ii) contractual obligations; or (iii) job descriptions.

(4) Your request will be considered at a regularly scheduled meeting of the Maryland Higher Education Commission.

5. Library Resources. Out-of-State Institutions offering programs or courses, or both, in Maryland, shall provide adequate and appropriate library resources within State boundaries and within reasonable distance of the instructional site. Usage statistics shall be kept to determine to what extent these resources are available and accessible. COMAR 13B.02.01.17A

INSTRUCTIONS: Please enter the requested information in the spaces provided below, or create an attachment (labeled “A-5: Library Resources”) to this application with your responses to the following questions.

(a) How are you planning to meet this standard on Library Resources? Briefly describe the types of materials and titles that you will make available to your students and how they will access them. Will there be provision for bibliographic instruction and/or library orientation?

(b) Library Waiver. In extraordinary circumstances, an out-of-State institution may request a waiver of the library requirement. **Are you requesting such a waiver?** Yes No

If Yes, this request shall be considered at a regularly scheduled meeting of the Maryland Higher Education Commission. The waiver may be granted if justified by the institution demonstrating in this application the following:

(i.) the specialized or technical nature of the institution’s curriculum; or

(ii.) an executed contract or contracts with another library or libraries ensuring students adequate access to another appropriate collection either through location or through information technology.

6. Student Services. COMAR 13B.02.01.18 concerns student services and activities. These shall realistically reflect the stated objectives, purposes, and philosophy of the out-of-State institution. Further, an out-of-State institution shall ensure that all students have access to a well developed program of counseling, testing, advisement, orientation, financial aid, career development, and placement. The institution may determine the specific organization of services, as well as the resources and staffing provided, as long as provision for these services are made. Student activities that complement the instructional program are particularly encouraged. COMAR Section .18 also requires that the out-of-State credits, transcripts, graduates, and other essentials in accordance with standard practice. This includes the physical security and confidentiality of such records. The Section requires as well, a published statement of student rights, privileges, and responsibilities and the school's adherence to its student grievance procedures.

INSTRUCTIONS: Please enter the requested information in the spaces provided below, or create an attachment (labeled "A-6: Student Services") to this application with your responses to the following questions.

(a) How do you plan to implement the requirements for Student Services cited above?

(b) Regarding student records describe the security measures the institution takes to ensure the confidentiality, physical, and electronic security of your record-keeping system.

(c) Does the institution have a published statement of rights, privileges, and responsibilities of students? Yes No How will it make this available to its students at the proposed instructional site? _____
If this statement is in the Catalog you submitted with the application, please indicate the page number: ____
If not in the Catalog you submitted, please provide us with a copy of the statement.

(d) Does the institution have a published student grievance procedure? Yes No If this procedure is in the Catalog you submitted with the application, please indicate the page number _____. If not in the Catalog you submitted, please provide us with a copy of the grievance procedure.

7. Facilities. (See COMAR 13B.02.01.19).

INSTRUCTIONS: Please enter the requested information in the spaces provided below, or create an attachment (labeled "A-7: Facilities") to this application with your responses to the following questions.

(a) Has a specific facility been identified? Yes No

(b) Has the proposed facility been inspected and approved for use as classroom/laboratory space and been found in compliance with local and State ordinances pertaining to fire and safety? Yes No

(1) If yes, please provide a copy of the Certificate of Compliance.

(2) If no, the Certificate of Compliance must be submitted at least 30 days prior to the start of classes.

(c) Describe any special instructional facilities and equipment (computers, audio-visual equipment, etc.) that will be used and available to students in this location.

(d) Describe what provisions are being made for periodic repair and maintenance of buildings and grounds. What measures are being taken for campus security and fire protection? If dangerous or toxic materials are being handled, what provisions are being made for safe storage, handling and disposal?

(e) Describe the office (and conference) space available to full and part-time faculty and administrators.

8. Distance Education. “Distance education” means course work for academic credit delivered by telecommunicated instruction to a physical space specifically reserved for the purpose of receiving the instruction, for example, a teleclassroom, and requires the payment of tuition or fees for the instruction. “Distance education” does not include telecommunicated instruction at the student’s initiation via an individual personal computer. COMAR 13B.02.01.03(8). An institution operating in Maryland and delivering instruction in Maryland by distance education shall provide evidence to the Secretary of compliance with the standards of good practice found in COMAR 13B.02.01.21.

INSTRUCTIONS. Is the institution providing distance education as defined above? Yes No
If yes, please contact the staff at the Maryland Higher Education Commission for a copy of the Standards of Good Practice and provide evidence of compliance as an attachment (labeled “A-8: Distance Education”) to this application.