

SENATE BILL 438

F2
SB 416/07 – EHE

8lr1508

By: **Senators Jones, Conway, Currie, Gladden, King, McFadden, Muse, Pugh, and Raskin**

Introduced and read first time: January 31, 2008

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Institutions of Higher Education – Plans for Programs of Cultural Diversity**

3 FOR the purpose of requiring certain nonpublic institutions of higher education to
4 submit a certain report regarding cultural diversity programs to the Maryland
5 Independent College and University Association on or before a certain date each
6 year; requiring the Association to submit a certain report on the status of
7 certain cultural diversity programs to the Maryland Higher Education
8 Commission on or before a certain date each year; requiring the report to
9 include a certain analysis; requiring certain public institutions of higher
10 education to develop and implement certain plans for a program of cultural
11 diversity; requiring certain plans to include certain improvements to certain
12 programs under certain circumstances; requiring certain plans to include
13 certain implementation strategies and timelines for meeting certain goals;
14 providing for the contents of a certain plan; requiring certain plans to enhance
15 certain programming and certain sensitivity through certain instruction and
16 training; requiring certain public institutions of higher education to submit
17 certain plans to the governing body of the institution for review on or before a
18 certain date each year; requiring the governing body of certain institutions to
19 submit a certain progress report to the Commission on or before a certain date
20 each year; requiring the Commission to review the progress report to monitor
21 compliance with the goals of the State Plan for Higher Education; requiring the
22 Commission to submit a certain report to certain committees of the General
23 Assembly on or before a certain date each year; and generally relating to plans
24 for programs of cultural diversity.

25 BY repealing and reenacting, with amendments,
26 Article – Education
27 Section 10–211
28 Annotated Code of Maryland
29 (2006 Replacement Volume and 2007 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Education
3 Section 11–406
4 Annotated Code of Maryland
5 (2006 Replacement Volume and 2007 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
7 MARYLAND, That the Laws of Maryland read as follows:

8 **Article – Education**

9 10–211.

10 (a) The nonpublic institutions of higher education in the State are an
11 important educational resource and are vital to the provision of postsecondary
12 education in the State.

13 (b) The State shall continue to provide financial aid as provided by law to
14 nonpublic institutions of higher education to foster this important educational
15 resource.

16 (c) (1) **ON OR BEFORE MAY 1 OF EACH YEAR, EACH NONPUBLIC**
17 **INSTITUTION OF HIGHER EDUCATION ELIGIBLE FOR STATE AID UNDER § 17–103**
18 **OF THIS ARTICLE SHALL SUBMIT A REPORT ON THE INSTITUTION’S PROGRAMS**
19 **TO PROMOTE AND ENHANCE CULTURAL DIVERSITY ON ITS CAMPUS TO THE**
20 **MARYLAND INDEPENDENT COLLEGE AND UNIVERSITY ASSOCIATION.**

21 (2) (I) **ON OR BEFORE AUGUST 1 OF EACH YEAR, THE**
22 **MARYLAND INDEPENDENT COLLEGE AND UNIVERSITY ASSOCIATION SHALL**
23 **SUBMIT A REPORT ON THE STATUS OF THE PROGRAMS REPORTED TO THE**
24 **ASSOCIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE**
25 **COMMISSION.**

26 (II) **THE REPORT SUBMITTED TO THE COMMISSION UNDER**
27 **SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE AN ANALYSIS OF THE**
28 **BEST PRACTICES USED BY NONPUBLIC INSTITUTIONS OF HIGHER EDUCATION**
29 **TO PROMOTE AND ENHANCE CULTURAL DIVERSITY ON THEIR CAMPUSES.**

30 **11–406.**

31 (A) (1) (I) **EACH PUBLIC INSTITUTION OF HIGHER EDUCATION IN**
32 **THE STATE SHALL DEVELOP AND IMPLEMENT A PLAN FOR A PROGRAM OF**
33 **CULTURAL DIVERSITY.**

1 (II) IF AN INSTITUTION OF HIGHER EDUCATION ALREADY
2 HAS A PROGRAM OF CULTURAL DIVERSITY, THE INSTITUTION OF HIGHER
3 EDUCATION SHALL DEVELOP AND IMPLEMENT A PLAN FOR IMPROVING THE
4 PROGRAM.

5 (III) A PLAN DEVELOPED AND IMPLEMENTED UNDER THIS
6 SUBSECTION SHALL INCLUDE AN IMPLEMENTATION STRATEGY AND A TIMELINE
7 FOR MEETING GOALS WITHIN THE PLAN.

8 (2) A PLAN DEVELOPED UNDER PARAGRAPH (1) OF THIS
9 SUBSECTION SHALL INCLUDE:

10 (I) A DESCRIPTION OF THE WAY THE INSTITUTION
11 ADDRESSES CULTURAL DIVERSITY AMONG ITS STUDENT, FACULTY, AND STAFF
12 POPULATIONS;

13 (II) A DESCRIPTION OF HOW THE INSTITUTION PLANS TO
14 ENHANCE CULTURAL DIVERSITY, IF IMPROVEMENT IS NEEDED;

15 (III) A PROCESS FOR RESPONDING TO HATE CRIMES AND
16 BIAS-MOTIVATED INCIDENTS THAT MAY OCCUR ON CAMPUS; AND

17 (IV) A SUMMARY OF ANY RESOURCES, INCLUDING STATE
18 GRANTS, NEEDED BY THE INSTITUTION TO EFFECTIVELY RECRUIT AND RETAIN
19 A CULTURALLY DIVERSE STUDENT BODY, FACULTY, AND STAFF.

20 (3) A PLAN DEVELOPED UNDER PARAGRAPH (1) OF THIS
21 SUBSECTION SHALL ENHANCE CULTURAL DIVERSITY PROGRAMMING AND
22 SENSITIVITY TO CULTURAL DIVERSITY THROUGH INSTRUCTION AND TRAINING
23 AT THE INSTITUTION OF HIGHER EDUCATION.

24 (B) (1) ON OR BEFORE MAY 1 OF EACH YEAR, EACH INSTITUTION
25 SHALL SUBMIT THE PLAN DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION
26 TO THE GOVERNING BODY OF THE INSTITUTION FOR THE GOVERNING BODY'S
27 REVIEW.

28 (2) ON OR BEFORE AUGUST 1 OF EACH YEAR, THE GOVERNING
29 BODY OF AN INSTITUTION SHALL SUBMIT A PROGRESS REPORT REGARDING THE
30 INSTITUTION'S IMPLEMENTATION OF ITS PLAN TO THE COMMISSION.

31 (C) (1) THE COMMISSION SHALL REVIEW THE PROGRESS REPORT
32 SUBMITTED BY EACH GOVERNING BODY UNDER SUBSECTION (B) OF THIS
33 SECTION TO MONITOR COMPLIANCE WITH THE GOALS OF THE STATE PLAN FOR
34 HIGHER EDUCATION.

1 (2) **ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE COMMISSION**
2 **SHALL SUBMIT A REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE**
3 **GOVERNMENT ARTICLE, TO THE SENATE BUDGET AND TAXATION COMMITTEE,**
4 **THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE COMMITTEE ON**
5 **WAYS AND MEANS ON THE EXTENT TO WHICH THE INSTITUTIONS OF HIGHER**
6 **EDUCATION IN THE STATE ARE IN COMPLIANCE WITH THE GOALS OF THE STATE**
7 **PLAN FOR HIGHER EDUCATION.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2008.