

**Department of Legislative Services**  
Maryland General Assembly  
2008 Session

**FISCAL AND POLICY NOTE**

Senate Bill 438

(Senator Jones, *et al.*)

Education, Health, and Environmental Affairs

Appropriations

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**Institutions of Higher Education - Plans for Programs of Cultural Diversity**

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This bill requires public institutions of higher education in Maryland to develop and implement plans for programs of cultural diversity and requires independent institutions of higher education that receive State funding under the Sellinger formula to report on the programs at the institutions that promote and enhance cultural diversity.

The bill takes effect July 1, 2008.

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**Fiscal Summary**

**State Effect:** State institutions of higher education could develop and implement cultural diversity programs with existing personnel and resources. MHEC could collect plans and monitor compliance with the State plan for higher education with existing personnel.

**Local Effect:** Community colleges could develop and implement cultural diversity programs with existing personnel and resources.

**Small Business Effect:** Minimal. Independent colleges and universities receiving State funds would be required to adopt and implement programs of cultural diversity.

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**Analysis**

**Bill Summary:** The plan developed by each public institution of higher education must enhance cultural diversity programming and sensitivity to cultural diversity through instruction and training at the institution and must include implementation strategies and timetables for meeting goals in the plans. Each institution must submit its cultural

diversity plan to its governing board by May 1 of each year, and the governing boards must submit progress reports regarding the implementation of the plans to MHEC by August 1 each year.

By May 1 of each year, each independent institution of higher education that receives State funding under the Sellinger formula must submit its report to the Maryland Independent College and University Association. MICUA must submit annual reports on the status of programs at the independent institutions to MHEC by August 1, and the reports must include analyses of the best practices used at independent institutions.

MHEC must review the progress reports submitted by public governing bodies in order to monitor compliance with the goals of the State plan for higher education. By October 1 of each year, MHEC must report on the extent to which the institutions in the State are in compliance with the goals of the State plan.

**Current Law:** Institutions of higher education are not statutorily obligated to develop programs of cultural diversity.

Eligibility for funding from the Sellinger formula requires a nonpublic institution of higher education to • be nonprofit; • be approved by MHEC; • be accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools; • have awarded degrees to at least one class; • maintain one or more earned degree programs; and • submit each new program and each major modification of an existing program to MHEC. In fiscal 2009, 17 nonpublic institutions qualify for Sellinger funding.

**Background:** In fall 2006, a fraternity at Johns Hopkins University advertised and hosted a “Halloween in the Hood” fraternity party that many believe was offensive and possibly representative of underlying racial tensions on the campus. The fraternity that hosted the party was placed on social probation, meaning it could not hold parties or other social events, until January 2008. MICUA, of which Johns Hopkins University is a member, advises that most of its member institutions have programs on cultural diversity and that course requirements and school-sponsored events at the institutions reinforce cultural sensitivity.

St. Mary’s College of Maryland, a public institution of higher education, reports that its five-year strategic plan includes cultural diversity goals. St. Mary’s also advises that it has many academic programs and student-based initiatives supporting cultural diversity.

**State Fiscal Effect:** State institutions of higher education could develop and submit plans for programs of cultural diversity with existing resources. The plans are likely to

include many components of existing cultural diversity programs already implemented at the institutions. MHEC could collect the cultural diversity plans and monitor their alignment with the State plan for higher education with existing personnel. If MHEC is required to take a more active role in assisting institutions in the development and implementation of their plans, an additional staff position would be needed at a cost of approximately \$75,000 to \$85,000 annually.

**Local Fiscal Effect:** Community colleges would be required to develop and implement programs of cultural diversity. It is assumed that the plans and programs could be implemented with the existing resources of the colleges.

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### **Additional Information**

**Prior Introductions:** SB 416 of 2007, a very similar bill, was passed by the Senate. The House Appropriations Committee held a hearing for the bill but took no further action.

**Cross File:** HB 905 (Delegate Gutierrez, *et al.*) – Appropriations.

**Information Source(s):** Maryland Independent College and University Association, St. Mary's College of Maryland, University System of Maryland, Maryland Higher Education Commission, Department of Legislative Services

**Fiscal Note History:** First Reader - February 22, 2008  
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